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U. S. DEPARTMENT OF LABOR

JAMES J. DAVIS, Secretary

CHILDREN'S BUREAU

GRACE ABBOTT, Chief

LAWS RELATING TO SEX OFFENSES AGAINST CHILDREN

By

REUBEN OPPENHEIMER

and

LULU L. ECKMAN

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LETTER OF TRANSMITTAL

UNITED STATES DEPARTMENT OF LABOR,
CHILDREN'S BUREAU,
Washington, February 20, 1925.

SIR: There is transmitted herewith a summary of Laws Relating to Sex Offenses against Children. The abstract of these laws was made by Reuben Oppenheimer, and the laws were compiled by Lulu L. Eckman.

Respectfully submitted.

GRACE ABBOTT, *Chief.*

Hon. JAMES J. DAVIS,
Secretary of Labor.

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LAWS RELATING TO SEX OFFENSES AGAINST CHILDREN¹

AGE-OF-CONSENT LAWS

By REUBEN OPPENHEIMER

INTRODUCTION

Sir Matthew Hale laid it down as a rule of common law that intercourse with a female under the age of 12 years is rape whether or not the girl protested, on the ground that a female under that age is incapable of consent. A statute passed during the reign of Queen Elizabeth was held to provide for the same punishment for intercourse with females under 10 whether or not they consented, as for intercourse with females over that age without their consent. Actually a sharp distinction exists between the offense of rape, the essence of which is sexual intercourse with a woman against her will, and the offense which has come to be known as statutory rape, the essence of which consists in sexual intercourse with a female under a fixed age, whether or not it be against her will.

There is considerable diversity among the laws of the States as to the age below which the consent of the female is immaterial, but the motive for the passage of the various statutes is the same—protection of females who, in the eyes of the law, have not reached such a degree of physical and mental maturity as to be able to protect themselves. The age limit as provided in the statutes of States and Territories of this country varies from 12 years to 21 years. The fixing of the age limit necessarily depends in a great measure upon local conditions, climate, and the mental and physical development of the people. Grave wrong is done the State, and its interest in the safety and welfare of its people is seriously jeopardized, when there is no punishment for intercourse with a female who consents, though not sufficiently developed to know what consent means. On the other hand, fornication has never been considered nearly so serious an offense as rape, and great injustice can be done by inflicting severe punishment in cases in which the female consents and is in fact physically mature though below the age recognized by the law as that of physical maturity. The line must be drawn somewhere between these two extremes. It seems reasonably clear that even where climatic conditions cause the earlier maturity of women, a female 12 or 14 years of age is not sufficiently developed to be capable of protecting herself against a seducer. Whether the age limit should be 16 or 18 years is, however, a question upon which there are differences of opinion.

It is an important qualification of the laws of the various States and Territories that sexual intercourse in the marital relation is

¹ In effect Jan. 1, 1925.

not an offense even though the female is below the age limit fixed by the statute. In most States the age at which a female can contract marriage is lower than the age limit in statutory rape. It is to be noted in this connection that many statutes use the word "unlawful" to describe the intercourse which is made an offense, and courts construe this word to exclude intercourse between man and wife.

Some jurisdictions provide for a lower age limit when the female was not of chaste character before the intercourse. At common law, in a prosecution for rape want of chastity on the part of the female was no defense in itself but could be introduced as tending to show consent. It is of the essence of statutory rape that want of consent is immaterial. But it is significant that the provisions of the laws on statutory rape fixing a lower age limit when the female has not been previously chaste are generally to be found in States which have adopted a high age limit in other cases. Lack of knowledge of the female's age on the part of the male is not in itself a defense, but it is the theory of the legal provisions that there should be a difference, in law, between intercourse with a female who may to all appearances be beyond the age limit and who has not been of previous chaste character, and intercourse with any chaste female below the age limit.

At common law a male under the age of 14 was conclusively presumed to be incapable of committing rape. Capacity of this sort is obviously a question of fact, and most of the jurisdictions in this country have enacted provisions merely shifting the burden of proof when the male is below a certain age. Some States, however, provide that the male must be of a certain age in order to be punished for the offense, regardless of his ability to commit it. There is no reason why offenses of a sexual nature by boys should be treated differently by the State than other offenses committed by boys. Juvenile-court laws should apply to young offenders in all cases alike. In sexual cases the gravity of the offense may create a public sentiment against a juvenile offender which is not present in other instances; but the causes which produce other forms of juvenile delinquency operate in these cases as well, and it would seem clear that a boy who commits a sexual offense should be treated by a properly organized and administered juvenile court rather than dealt with as an adult criminal or allowed to continue his course unpunished.

The various legal provisions as to punishment for statutory rape or offenses of a similar nature are particularly important. The severity of the punishment, under these provisions, depends in a great measure upon the age of the female and also upon the age of the male. It is to be hoped that the example of the few States which provide for punishment of youthful offenders in corrective institutions rather than in the penitentiary will be followed and that the juvenile court with its ancillary institutions will come to play a larger part in the punishment and prevention of offenses of this nature.

In two States it has been made an offense to publish the name or identity of females who have been raped or upon whom an attempt to commit rape has been made. It would seem a logical extension of the principle underlying the laws dealing with statutory rape to

provide against the publication of the names or identity of females upon whom offenses of this nature have been committed.

In the abstract of the laws which follows an attempt has been made to give the substance of the various provisions rather than to classify the laws with respect to the names of the offenses or to the forms which the laws have taken. The highest age of a female at which it is made an offense to have intercourse with her, either with or without her consent, has been given, whereas the statute may actually provide for a certain age limit and then set forth certain exceptions which apply even when the female is over that limit.

ABSTRACT OF LAWS

AGES FIXED BY LAW

The laws of all the States and Territories make it an offense for a male to have intercourse with a female who is under a specified age, with or without her consent. The various ages specified in these laws are as follows:

12 years: Alabama. ² Hawaii. ³	18 years: Arizona. California. Colorado. Delaware. Florida. Idaho. Kansas. Kentucky. Louisiana. Minnesota. Mississippi. Missouri. Montana. Nebraska. Nevada. New York. North Dakota. Oklahoma. Oregon. ⁵ Rhode Island. ⁵ South Dakota. Texas. Utah. Washington. Wisconsin. Wyoming.
14 years: Georgia. Porto Rico.	
16 years: Arkansas. Connecticut. District of Columbia. Illinois. Indiana. Iowa. ⁴ Maine. Maryland. Massachusetts. Michigan. New Hampshire. New Jersey. New Mexico. North Carolina. Ohio. Pennsylvania. South Carolina. Vermont. Virginia. West Virginia.	21 years: Tennessee.

In some States and Territories there are lower age limits, as follows, for females who have not been of chaste character before the offense:

10 years: Florida.	16 years: Missouri. Nebraska. Oklahoma. Oregon. Rhode Island.
12 years: Mississippi. North Carolina. Tennessee.	
15 years: Texas.	

AGE OF MALE A DEFENSE

In some States and Territories the age of the male, either of itself or when taken with the age of the female or the fact that she con-

² Interpreted as 16 in analytical index, p. 14. See text of law, p. 20.

³ Interpreted as 15 in analytical index, p. 14. See text of law, p. 30.

⁴ The age is 17 if the accused is over 25. See analytical index and text of law, pp. 14 and 35.

⁵ The Oregon and Rhode Island laws have also been interpreted as placing the age of consent at 16 and giving "further protection" to chaste girls under 18. See analytical index and text of laws, pp. 14, 58, and 61.

sented, may be a defense. No conviction may be had in the following States and Territories when the male is under the age specified.⁶

14 years:

Arizona.
California.
Florida.
Idaho.
Minnesota.
New Mexico.
New York.
North Dakota.
Oklahoma.
South Dakota.
Texas.
Utah.
Porto Rico.

16 years:

Illinois.
Montana.
Nevada.
New Jersey.
Oregon.
Pennsylvania.
West Virginia.

17 years:

Louisiana.

In Alabama the law does not apply when the male is under 16 and the female over 12 years of age. There can be no conviction in Ohio when the male is under 18 and the female is under 16 and consents. In Vermont the punishment is mitigated if the male and female are both under 16 and the female consents.

PUNISHMENT OF FEMALE

In the following jurisdictions, under certain circumstances, the female can be punished:

Colorado-----	Where the male is under 18 and the intercourse is had at the solicitation of the female or where the female is a prostitute and where the male was prior to the offense of good moral character.
Kentucky-----	Where the male is under 18.
Indiana-----	Where the male is under 16.
North Carolina-----	Where the male is under 16.
Vermont-----	Where male and female are both under 16 and female consents.
Washington-----	Where the male is under 18.

CAPITAL PUNISHMENT

The jurisdictions in which capital punishment may be imposed and the circumstances under which it may be imposed are as follows:

Alabama-----	Carnal knowledge of any female under 12 or abuse of such female in the attempt to have carnal knowledge of her. Alternative of imprisonment in discretion of jury.
Arkansas-----	Rape of any female. Penalty for carnal knowledge of female under 16 is imprisonment.
Delaware-----	Carnal knowledge of female under 7. Alternative of life imprisonment in discretion of judge on recommendation of mercy by jury.
District of Columbia---	Carnal knowledge or abuse of female under 16. Alternative of imprisonment in discretion of jury.
Florida-----	Carnal knowledge or any abuse of female under 10. Alternative of life imprisonment.
Georgia-----	Intercourse with female under 14. Alternative of imprisonment if defendant is recommended to mercy by jury.

⁶ Except in cases in which the physical ability to accomplish penetration is proved beyond a reasonable doubt. In Florida the capacity of the male to commit the offense is to be determined by the jury.

Hawaii-----	Carnal knowledge or abuse of female under 12. Alternative of life imprisonment in discretion of judge.
Kentucky-----	Intercourse with child under 12. Alternative of life imprisonment in discretion of jury.
Louisiana-----	Rape. Carnal knowledge of female between 12 and 18 with her consent is punishable by imprisonment.
Maryland-----	Intercourse with female under 14. Alternative of imprisonment in discretion of judge.
Mississippi-----	Intercourse with female under 12. Alternative of life imprisonment in discretion of jury.
Missouri-----	Intercourse with female under 16. Alternative of imprisonment in discretion of jury.
Nevada-----	Intercourse by person over 16 with female under 18. Alternative of imprisonment in discretion of jury.
North Carolina-----	Intercourse with female of 12 or more by force or any intercourse with female under 12.
Oklahoma-----	Intercourse by male over 18 with female under 14. Alternative of imprisonment in discretion of jury.
South Carolina-----	Intercourse with female under 10 or between 10 and 14. Alternative of imprisonment in discretion of jury.
Tennessee-----	Intercourse or attempt to have intercourse with female under 12. Alternative of imprisonment in discretion of jury.
Texas-----	Intercourse with female under 18, provided, if she be 15 or over, that she was previously chaste. Alternative of imprisonment in discretion of jury.
Virginia-----	Intercourse with female under 16, provided, if she be over 14, that she does not consent. Alternative of imprisonment in discretion of court or jury.
West Virginia-----	Intercourse by male over 16 with female under 16. Alternative of imprisonment in discretion of jury.

IMPRISONMENT

The jurisdictions in which punishment may be imprisonment and the circumstances in which this punishment may be inflicted are as follows:

State or Territory	Penalty		Provisions
	Minimum	Maximum	
Alabama-----	10 years-----	-----	Any person who has carnal knowledge of any girl under 12 or abuses such girl in the attempt to have carnal knowledge of her. Alternative of death penalty in discretion of jury.
	2 years-----	10 years-----	Intercourse with or abuse of female between 12 and 16 by male of 16 or over.
Arizona-----	5 years-----	Life-----	Intercourse with female under 18.
Arkansas-----	1 year-----	21 years-----	Intercourse with female under 16. Rape of any female is punishable by death.
California-----	1 year-----	50 years-----	Intercourse with female under 18. Jury can determine whether imprisonment shall be in State penitentiary or in county jail.
Colorado-----	3 years-----	Life-----	Intercourse with female under 18 by male over 18. Where male was under 20 at time of offense or where he had previously borne a good reputation court may commute punishment to term in State reformatory.
	1 year-----	5 years-----	Where female induced male under 18 to engage in sexual intercourse or where female was a prostitute and male of good moral character. Alternative of fine, commitment to State industrial school, or fine and imprisonment.
Connecticut-----	-----	30 years-----	Carnal abuse of female under 16. Alternative of fine.

State or Territory	Penalty		Provisions
	Minimum	Maximum	
Delaware.....	Life.....	-----	Carnal knowledge of female under 7. Alternative of death penalty.
		10 years.....	Assault with intent to ravish. Additional punishments of fine and whipping.
		7 years.....	Using male or female under 18 for sexual purposes. Alternative of fine or both fine and imprisonment in discretion of the court.
District of Columbia.....		30 years.....	Carnal knowledge or abuse of female under 16. Alternative of death penalty.
Florida.....	Life.....	-----	Carnal knowledge or abuse of female under 10. Alternative of death penalty.
		10 years.....	Intercourse with unmarried female under 18, of previously chaste character. Alternative of fine.
Georgia.....	1 year.....	20 years.....	Intercourse with female under 14. Alternative of death penalty if defendant is not recommended to mercy by jury.
	1 year.....	20 years.....	Assault with intent to ravish any female.
Hawaii.....	Life.....	-----	Any carnal knowledge or abuse of female under 12. Alternative of death penalty in discretion of judge.
	3 years.....	10 years.....	Act of sexual intercourse with female under 15.
	Any number of years.	Life.....	Rape of any female. Alternative of fine.
		5 years.....	Assault with intent to ravish female under 12. Alternative of fine or both fine and imprisonment.
Idaho.....	5 years.....	Life.....	Carnal knowledge of female under 18.
Illinois.....	1 year.....	Life.....	Carnal knowledge of female under 16 by male of 17 or over or by male of 16 or over if without her consent.
Indiana.....	Life.....	-----	Intercourse with female under 12.
	5 years.....	21 years.....	Intercourse with male or female under 16.
	5 years.....	21 years.....	Assault with intent to ravish female under 12. Additional penalty of fine.
Iowa.....	Any term of years.	Life.....	Intercourse by person under 25 with female under 16.
			Intercourse by person over 25 with female under 17.
Kansas.....	5 years.....	21 years.....	Intercourse with female under 18.
Kentucky ¹	Life.....	-----	Intercourse with child under 12. Alternative of death penalty, in discretion of jury.
	20 years.....	50 years.....	Intercourse with female under 12, with her consent; intercourse with male under 12. Alternative of death penalty, in discretion of jury.
	5 years.....	20 years.....	Attempt to have carnal knowledge of female under 12.
	5 years.....	20 years.....	Intercourse with female 12 to 16 with her consent; intercourse with male 12 to 16.
	2 years.....	10 years.....	Intercourse with female 16 to 18 with her consent; intercourse with male 16 to 18.
Louisiana.....		5 years.....	Intercourse by male over 17 with female between 12 and 18 with her consent. Rape is punishable by death.

¹ These penalties do not apply where the person convicted is a male between 17 and 21 or a female between 18 and 21. See p. 37.

State or Territory	Penalty		Provisions
	Minimum	Maximum	
Maine.....	Any term of years..... 1 year.....	20 years..... 10 years..... 2 years.....	Intercourse with female under 14. Assault with intent to commit rape on female under 14. Assault with intent to rape female 14 or more. Alternative of fine. Intercourse with female between 14 and 16 by male over 18. Alternative of fine.
Maryland.....	18 months..... 2 years..... 2 years.....	Life..... 10 years..... 20 years..... 2 years.....	Intercourse with female under 14. Alternative of death penalty, in discretion of court. Assault with intent to have intercourse with female under 14. Assault with intent to commit rape. Alternative of death penalty, in discretion of court. Intercourse with female between 14 and 16 by male over 18. Alternative of fine or both fine and imprisonment.
Massachusetts.....	Any term of years. Any term of years in penitentiary.	Life..... Life, in penitentiary; 2½ years in county jail.	Intercourse with female under 16. Assault with intent to commit rape. If imprisonment is in county jail, additional penalty of fine.
Michigan.....	Any period court may direct.	Life.....	Intercourse with female under 16.
Minnesota.....	Life..... 7 years..... 1 year.....	Life..... 30 years..... 7 years.....	Intercourse with female under 10. Intercourse with female between 10 and 14. Intercourse with female between 14 and 18.
Mississippi.....	Life..... 6 months (county jail). Shorter time to be fixed by jury.	Life..... 5 years (penitentiary). Life.....	Intercourse with female under 12. Alternative of death penalty, in discretion of jury. Intercourse with unmarried female of previously chaste character, younger than male, when female is between 12 and 18. Alternative of fine or both fine and imprisonment if imprisonment is in county jail. Assault with intent to rape.
Missouri.....	2 years..... 1 to 6 months in county jail.	Life..... 2 years in penitentiary.	Intercourse with female under 16. Alternative of death penalty in discretion of jury. Intercourse by any person over 16 with unmarried female of previously chaste character between 16 and 18. Alternative of fine or both fine and imprisonment if imprisonment in county jail.
Montana.....	2 years.....	99 years.....	Intercourse with female under 18.
Nebraska.....	3 years.....	20 years.....	Intercourse by male 18 or over with female between 15 and 18 and previously chaste.
Nevada.....	5 years.....	Life.....	Intercourse by person 16 or over with female under 18. Alternative of death penalty in discretion of jury.
New Hampshire.....	.....	30 years.....	Intercourse with female under 16.
New Jersey.....	.....	30 years..... 15 years..... 12 years.....	Intercourse by person 16 or over with female under 12. Alternative of fine or both fine and imprisonment. Intercourse by person 16 or over with female between 12 and 16. Alternative of fine or both fine and imprisonment. Assault with intent to have carnal knowledge of female under 16. Alternative of fine or both fine and imprisonment.

State or Territory	Penalty		Provisions
	Minimum	Maximum	
New Mexico.....	Life..... 1 year.....	..... 99 years.....	Intercourse with female under 10. Intercourse with female between 10 and 16.
New York.....	.....	10 years.....	Intercourse with female under 18.
North Carolina.....	In discretion of court.....	.....	Intercourse with female previously chaste over 12 and under 16, or with male under 16. Alternative of fine.
North Dakota.....	1 year.....	15 years.....	Assault with intent to commit rape.
	1 year.....	.....	Intercourse by person 24 or over with female under 18.
Ohio.....	1 year.....	.....	Intercourse by person between 20 and 24 with female under 18. Alternative where defendant is a minor, commitment to State reform school.
	Life.....	.....	Intercourse with female person under 12, forcibly and against her will.
	6 months in county jail or work-house. 6 months in county jail or work-house.	20 years in penitentiary. 15 years in penitentiary.	Intercourse by person 18 or over with female under 16. Attempt of person 18 or over to have intercourse with female under 16.
Oklahoma.....	15 years.....	.....	Intercourse by male over 18 with female under 14. Alternative of death.
	1 year.....	15 years.....	Intercourse by male under 18 with female under 14.
	1 year.....	15 years.....	Intercourse with female between 14 and 16 or with previously chaste female between 16 and 18. Male under 18 can not be convicted of rape of female over 14 if female consents.
Oregon.....	3 years.....	20 years.....	Intercourse by person over 16 with female under 16.
	1 month in county jail.	5 years in penitentiary.	Intercourse by male over 18 with female between 16 and 18, when female was of previously chaste character. Alternative of fine.
Pennsylvania.....	.....	15 years.....	Intercourse by person 16 or over with female under 16. Alternative of fine and imprisonment.
Porto Rico.....	5 years.....	.....	Intercourse with female under 14.
Rhode Island.....	.....	15 years.....	Intercourse with female under 16. Rape is punishable by imprisonment for life or for not less than 10 years.
	.....	10 years.....	Attempt to have intercourse with female under 16.
	.....	5 years.....	Intercourse by person over 18 with girl under 18 when girl was not of known immoral character.
South Carolina.....	5 years.....	40 years.....	Intercourse with female under 10. The penalty is death unless jury recommends mercy.
	.....	14 years.....	Intercourse with woman or child between 10 and 14. The penalty is death unless jury recommends mercy.
	.....	5 years.....	Intercourse with woman or child between 14 and 16.
	.....	1 year.....	Intercourse by male under 18 with previously unchaste female between 14 and 16. Alternative of fine.
South Dakota.....	10 years.....	.....	Intercourse with female under 10.
	.....	20 years.....	Intercourse with female between 10 and 18.

State or Territory	Penalty		Provisions
	Minimum	Maximum	
Tennessee-----	10 years-----	Life-----	Intercourse or attempt to have intercourse with female under 12. Alternative of death penalty.
	3 years-----	10 years-----	Intercourse with female between 12 and 21 when female was not previously a prostitute.
Texas-----	5 years-----	Life-----	Intercourse with female under 18, provided if she was 15 or over, that she was previously chaste. Alternative of death penalty.
Utah-----	5 years-----		Intercourse with female under 13.
		5 years-----	Intercourse with female between 13 and 18.
Vermont-----		20 years-----	Intercourse with female under 16 by male over 16 or by one under 16 if without female's consent. Alternative of fine or both fine and imprisonment.
Virginia-----	5 years-----	Life-----	Intercourse with female under 16. Alternative of death penalty.
	1 year-----	20 years-----	Intercourse with female between 14 and 16 who consents to carnal knowledge.
Washington-----	Life-----		Intercourse with male or female under 10.
	5 years-----		Intercourse with male or female between 10 and 15.
	1 year in county jail.	10 years in penitentiary.	Intercourse with male or female between 15 and 18.
West Virginia-----	{ Life-----		{ Intercourse by male over 16 with female under 16.
	{ 5 years-----	20 years-----	{ Life imprisonment is alternative of death penalty in discretion of jury. Upon recommendation of jury to mercy, imprisonment may be 5 to 20 years.
Wisconsin-----	1 year-----	35 years-----	Intercourse by male over 18 with female under 18. Alternative of fine.
	1 year-----	10 years-----	Intercourse by male 18 or under with female under 18. Alternative of fine.
Wyoming-----	1 year-----	Life-----	Intercourse with female under 18.
	1 year-----	50 years-----	Attempt to have intercourse with female under 18.

PUNISHMENT BY FINE

The jurisdictions in which punishment may be by fine and the circumstances under which this punishment may be given are as follows:

State or Territory	Penalty		Provisions
	Minimum	Maximum	
Colorado-----	\$200	\$1,000	Punishment for female where female induces male under 18 to engage in sexual intercourse or where female was a prostitute and male was of good moral character. Alternative of imprisonment, commitment to State industrial school, or imprisonment and fine.
			Intercourse of male under 18 with female under 18. Punishment for male.
Connecticut-----		1,000	Carnal knowledge and abuse of female under 16. Alternative of imprisonment or both fine and imprisonment.
Delaware-----	200	500	Assault with intent to ravish. Additional punishment of imprisonment and whipping.
Florida-----		2,000	Intercourse with unmarried female of previously chaste character between 10 and 18. Alternative of imprisonment.

State or Territory	Penalty		Provisions
	Minimum	Maximum	
Hawaii.....		\$1,000	Assault with intent to ravish female under 12. Alternative of imprisonment or both fine and imprisonment.
Indiana.....		1,000	Carnal knowledge of male or female between 12 and 16. Additional penalty of imprisonment.
		1,000	Assault with intent to ravish any female. Additional penalty of imprisonment.
Kentucky.....		500	Carnal knowledge by male between 17 and 21 with female under 18 or by female between 18 and 21 with male under 18, under circumstances not constituting rape.
Maine.....		500	Assault with intent to rape female 14 or over. Alternative of imprisonment.
		500	Intercourse with female between 14 and 16 by male over 18. Alternative of imprisonment.
Maryland.....		500	Intercourse with female between 14 and 16 by male over 18. Alternative of commitment to house of correction, or both fine and commitment, in discretion of court.
Massachusetts.....		1,000	Assault with intent to commit rape. Additional penalty of imprisonment in county jail for not more than 2½ years. Alternative of imprisonment for life or any term of years.
Mississippi.....		500	Intercourse with unmarried female between 12 and 18 of previously chaste character and younger than male. Alternative of imprisonment in penitentiary or county jail. To imprisonment in county jail fine may be added.
Missouri.....	\$100	500	Intercourse by person over 16 with unmarried female of previously chaste character between 16 and 18. Alternative of imprisonment or both imprisonment and fine.
New Jersey.....		3,000	Assault with intent to rape female under 16. Alternative of imprisonment or both imprisonment and fine.
		5,000	Intercourse by person 16 or over with female under 12. Alternative of imprisonment or both imprisonment and fine.
		2,000	Intercourse by person 16 or over with female between 12 and 16. Alternative of imprisonment or both imprisonment and fine.
North Carolina.....	In discretion of court		Intercourse with female, previously chaste, over 12 and under 16. Alternative of imprisonment.
			Intercourse with male under 16. Alternative of imprisonment.
Oregon.....	\$50	500	Intercourse by male over 18 with female between 16 and 18, when female was of previously chaste character. Alternative of imprisonment.
Pennsylvania.....		1,000	Intercourse by person 16 or over with female under 16. Additional penalty of imprisonment. Alternative of imprisonment.
South Carolina.....		500	Intercourse by male under 18 with female, previously unchaste, over 14 and under 16. Alternative of imprisonment.
Vermont.....		2,000	Intercourse with female under 16 by male over 16 or by one under 16 if without female's consent. Alternative of imprisonment or both imprisonment and fine.
Wisconsin.....		200	Intercourse by male over 18 with female under 18. Alternative of imprisonment.
		200	Intercourse by male 18 or under with female under 18. Alternative of imprisonment.

CONFINEMENT IN CORRECTIONAL INSTITUTIONS

The jurisdictions in which punishment may be confinement in the State reformatory or other correctional institutions are as follows:

State or Territory	Penalty		Institution	Provisions
	Minimum	Maximum		
Colorado.....	-----	-----	State reformatory.....	Where person convicted was under 20 or had previously borne a good reputation. Alternative of sentence to State penitentiary, in discretion of judge.
			State industrial school for boys or State industrial school for girls.	Where both male and female were under 18 or where female induced intercourse and male was under 18 or of previous good character. Alternative punishments of fine or imprisonment, or both, in discretion of judge.
Maryland.....	-----	2 years..	House of correction.....	Intercourse with female between 14 and 16 by male over 18. Alternative of fine or both fine and imprisonment, in discretion of court.
North Dakota..	1 year..	-----	State reform school.....	Intercourse by person between 20 and 21 with female under 18. Alternative of imprisonment in State penitentiary.
	1 year..	3 years..	State reform school.....	Intercourse by person under 20 with female under 18.
Vermont.....	-----	-----	State industrial school.....	Intercourse by male under 16 with female under 16, with her consent. Both subject to penalty.

ANALYTICAL INDEX AND TEXT OF LAWS RELATING TO SEX OFFENSES AGAINST CHILDREN

By LULU L. ECKMAN

INTRODUCTION

In making this compilation of laws concerning sex offenses against children the aim has been to limit it to such provisions as are obviously intended to protect the minor child from wrongs of this nature. With this object in view all provisions have been excluded in which minority does not enter into the definition of the offense or is not taken into account in fixing the penalty—even those applying to offenses of which a minor child may be, and perhaps frequently is, the victim.

The Federal law regarding offenses within the admiralty and maritime and the territorial jurisdiction of the United States, the white-slave traffic, and provisions from the immigration laws regarding the importation of aliens for immoral purposes, are included. State laws of this type are not given, but references to them are made in the notes following each State section.

The material for each State and other political unit is grouped under three main subdivisions as follows: "Carnal knowledge or abuse—age of consent," "abduction—seduction—prostitution," and "indecent, lewd, or lascivious conduct with child." Following is an analytical index showing the offenses against which children are afforded protection in the various States, the age to which special protection is extended, and the protection afforded minor boys as well as minor girls.

ANALYTICAL INDEX OF STATE LAWS

A. GIRLS—SPECIAL PROVISIONS FOR THEIR PROTECTION.

1. CARNAL KNOWLEDGE OR ABUSE; AGE OF CONSENT.

a. Ages under which special protection is afforded:

14 years:

Georgia, Porto Rico.

15 years:

Hawaii.^{1c}

16 years:

Alabama,^{1c} Arkansas, Connecticut, District of Columbia, Illinois, Indiana,^{1c} Maine,^{1c} Maryland,^{1c} Massachusetts,² Michigan, New Hampshire, New Jersey,^{1c} New Mexico,^{1b} North Carolina,^{3b} Ohio,^{1c} Oregon,² Pennsylvania, Rhode Island,² South Carolina,^{1b} Vermont, Virginia, West Virginia, and territory under the exclusive jurisdiction of the Federal Government of the United States.

17 years:

Iowa (if accused is over 25; otherwise the age is 16).

18 years:

Arizona, California, Colorado, Delaware,^{1a} Florida,^{3a} Idaho, Kansas, Kentucky,^{1c} Louisiana,^{3b} Minnesota,^{1b} Mississippi,^{3b} Missouri,^{3d} Montana, Nebraska,^{3d} Nevada, New York, North Dakota, Oklahoma,^{3d} South Dakota,^{1b} Texas,^{3c} Utah,^{1d} Washington,^{1b} Wisconsin, Wyoming.

21 years:

Tennessee.

b. Publication of name of raped female forbidden:

Florida, Georgia.

c. Private hearings when complaining witness is under 17 years of age:

Massachusetts.

2. INDECENT, LEWD, OR LASCIVIOUS CONDUCT WITH FEMALE CHILD (not constituting the more serious offense of carnal knowledge or attempt to have carnal knowledge)—Ages under which special protection is afforded against these offenses.

12 years:

Hawaii.

13 years:

Mississippi.

14 years:

Arizona,⁴ California,⁴ Michigan, Minnesota, Ohio, Porto Rico.⁴

^{1a} A more severe penalty may be imposed when the victim is:

a. Under 7: Delaware.

b. Under 10: Minnesota (penalty varies when victim is under 10, between 10 and 14, between 14 and 18), New Mexico, South Carolina (or between 10 and 14), South Dakota, Washington (penalty varies when victim is under 10, between 10 and 15, between 15 and 18).

c. Under 12: Alabama, Hawaii, Indiana, Kentucky (penalty varies when victim is under 12, between 12 and 16 or between 16 and 18), New Jersey, Ohio (without consent).

d. Under 13: Utah.

e. Under 14: Maine, Maryland.

² Chaste girls are given further protection between the ages of 16 and 18 in Massachusetts, Oregon, and Rhode Island.

³ If previously chaste, otherwise the age is lowered as follows:

a. 10 years—Florida.

b. 12 years—Louisiana (between 12 and 18 if unmarried), Mississippi, North Carolina, Tennessee.

c. 15 years—Texas.

d. 16 years—Missouri, Nebraska, Oklahoma.

⁴ Child of either sex.

A. GIRLS—SPECIAL PROVISIONS FOR THEIR PROTECTION—Continued.

2. INDECENT, LEWD, OR LASCIVIOUS CONDUCT—Continued.

15 years:

Illinois.⁴

16 years:

Colorado,⁴ Delaware, Iowa,⁴ Louisiana,⁴ Maine,⁴ Montana,⁴ Wisconsin.

18 years:

Washington.

21 years:

Indiana,⁴ Wyoming.⁴

Minor child; age not specified:

North Dakota,⁴ Wisconsin.⁴

3. ABDUCTION; SEDUCTION; PROSTITUTION—Ages under which special protection is afforded against these offenses.

12 years:

Abducting for immoral purposes—

Hawaii (also any female), Illinois.

14 years:

Abducting for immoral purposes—

Alabama, Kentucky, Mississippi, New Mexico, Texas, West Virginia.

15 years:

Abducting for immoral purposes—

Arkansas, Oklahoma, South Dakota (for purpose of marriage).

16 years:

Abducting for immoral purposes—

District of Columbia, Michigan, Oregon, Pennsylvania, South Carolina, Virginia.

Admitting to or harboring in house of prostitution—

Kentucky, Maine, Ohio (note), Pennsylvania.

Employing in or about house of ill fame—

Wyoming (note).

Enticing to prostitution or illicit intercourse—

Pennsylvania.

Permitting to enter or remain in house of prostitution, penalty for parent or other custodian (notes)—

New York, North Carolina, Pennsylvania.

Procuring for immoral purposes—

Florida.

Seduction—

Colorado.

17 years:

Admitting to or harboring in house of prostitution—

Michigan.

Employing in or sending as messenger to house of prostitution—Texas (note).

Taking to or permitting to remain in house of prostitution—

Texas (note).

18 years:

Abducting for immoral purposes—

Arizona, California, Idaho, Kansas, Maryland, Minnesota, Missouri, New Hampshire, New Jersey, New York, North Dakota, Ohio, South Dakota, Utah, Washington, Wisconsin.

Admitting to or harboring in house of prostitution—

Delaware, Illinois, Iowa, Louisiana, Michigan (17 or under), Missouri, Nebraska, New York, North Carolina, Ohio.

Bringing into State or transporting for immoral purposes—

Illinois, Oregon.

Employing in house of prostitution—

Delaware (note).

⁴ Child of either sex.

A. GIRLS—SPECIAL PROVISION FOR THEIR PROTECTION—Continued.

3. ABDUCTION; SEDUCTION; PROSTITUTION—Continued.

18 years—Continued.

Enticing or inducing to illicit intercourse or prostitution—

Arkansas, California, Colorado (enticing to house of prostitution), District of Columbia, Idaho, Indiana (enticing to house of prostitution), Iowa, Kansas, Massachusetts, Nebraska, Ohio, Oregon, Rhode Island, South Dakota, and territory under the exclusive jurisdiction of the Federal Government.

Permitting to be used for immoral purposes—

Hawaii, Kansas, Minnesota, Nevada, New Jersey, New York, Washington.

Permitting in house of prostitution, penalty for parent, guardian, or other custodian (child of either sex)—

South Carolina (note).

Procuring for immoral purposes—

Indiana, Kansas, New Jersey, New York, Ohio, Rhode Island, Wyoming.

Seduction—

Arizona (under promise of marriage), Illinois, Kansas (by guardian), Michigan (by guardian), Missouri (by guardian), New Mexico (by teacher), Ohio (under promise of marriage), Rhode Island.

Sending as messenger to house of prostitution (notes)—

California, Minnesota, Nevada, Washington.

Sending or causing to be sent to house of prostitution—

Iowa (note).

Unlawful intercourse under circumstances not constituting rape—

Oregon (chaste girl between 16 and 18).

20 years:

Enticing to house of prostitution—

New Mexico.

Enticing to improper places—

Colorado.

Seduction (under promise of marriage)—

North Dakota.

21 years:

Admitting to or harboring in house of prostitution—

Washington (notes), Wisconsin, Wyoming (notes).

Enticing to illicit intercourse or prostitution—

Kentucky, Nevada (to house of prostitution), Porto Rico

Permitting to be used for immoral purposes—

Alabama, Connecticut.

Seduction—

District of Columbia (seduction by teacher, also of chaste female), Indiana (under promise of marriage), Kansas (under promise of marriage), Kentucky (under promise of marriage), Missouri (under promise of marriage), New Mexico (under promise of marriage), Pennsylvania (under promise of marriage), Wyoming (under promise of marriage).

Sending to place of objectionable character—

Utah (in cities of first or second class, note).

Minor female:

Abduction—

Connecticut, New Mexico.

Admitting to house of prostitution (either sex)—

California, Idaho (or employing in such place, note),

Montana, Oregon, Porto Rico, Washington (note).

Disposing of, taking, receiving, or employing for purposes of prostitution (either sex)—

Delaware, Indiana, Pennsylvania.

Employing in house of prostitution—

Delaware (note).

A. GIRLS—SPECIAL PROVISIONS FOR THEIR PROTECTION—Continued.

3. ABDUCTION; SEDUCTION; PROSTITUTION—Continued.

Minor female—Continued.

Enticing to prostitution—

District of Columbia, Oregon (to house of prostitution).

Permitting to remain in house of prostitution—

Michigan (student).

Seduction—

Connecticut, North Dakota (by guardian).

25 years:

Enticing to prostitution—

South Dakota.

Seduction—

Texas (under promise of marriage).

Age not specified:

Abducting or taking for purposes of prostitution—

California (note), Illinois, Massachusetts (note).

Enticing to prostitution (notes)—

Alabama, Arizona, Connecticut, District of Columbia, Florida, Kansas, Louisiana, Missouri.

Procuring for prostitution or immoral purposes (notes)—

Arizona, California, Colorado, Hawaii, Indiana, Kansas, Kentucky, Maine, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, North Carolina, West Virginia.

Seduction—

Arizona (by teacher), Ohio (by teacher), North Dakota (by person charged with care of dependent female).

Soliciting for purpose of prostitution (notes)—

Colorado, Hawaii, Illinois, Louisiana, Maryland, Nevada, New Hampshire, North Carolina.

Transporting for purposes of prostitution (notes)—

Arizona, Illinois, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Missouri, Montana, Nevada, New Jersey, New York, North Carolina.

4. TRAFFIC IN GIRLS FOR IMMORAL PURPOSES.

Federal laws (text of laws):

Carnal knowledge of female under 16 years of age, offenses committed within the admiralty and maritime and territorial jurisdiction of the United States, p. 72.

Importation of aliens for immoral purposes, p. 74.

Prohibiting the transportation of women and girls for immoral purposes (white-slave traffic), p. 72.

State laws:

The texts of State laws regarding the traffic in women and girls for immoral purposes are included in this compilation when the provisions apply to minor girls; where they are more general in their application the texts are not given, the law being cited in notes appended to each State. Provisions of this nature have been noted in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Texas, Utah, Vermont, Virginia, West Virginia, and Wisconsin.

5. EMPLOYMENT AGENCIES FORBIDDEN TO SEND GIRLS TO HOUSES OF PROSTITUTION.

The texts of State laws forbidding employment agencies to send girls or other female servants or employees to houses of prostitution are not included in this compilation, but statutory references to them are appended in the form of notes following the law of each State. Provisions of this character have been noted in Connecticut, District of Columbia, Illinois, Maine, Michigan, Nebraska, New Jersey, New York, Pennsylvania, Virginia, and Wisconsin.

B. BOYS—SPECIAL PROVISIONS FOR THEIR PROTECTION—Ages under which special protection is afforded and offenses specified.

12 years:

Abduction—
Illinois.

14 years:

Indecent, lewd, or lascivious conduct—
Arizona, California, Porto Rico.

15 years:

Indecent, lewd, or lascivious conduct—
Illinois.
Debauching by male or female person—
Michigan.

16 years:

Admitting to or permitting in house of prostitution—
Maine, New York (note), North Carolina (penalty for parent or other custodian note), Pennsylvania.
Harboring or employing in house of prostitution—
Ohio (note).
Indecent, lewd, or lascivious conduct—
Colorado, Iowa, Louisiana, Maine, Montana.
Unlawful sexual intercourse—
Indiana, North Carolina, Vermont (both parties under 16 and female consenting).

17 years:

Employment in bawdy house forbidden—
Texas (note).
Permitting in or inducing to enter house of prostitution—
Michigan. Texas (note).
Sending as messenger to house of prostitution—
Texas (note).

18 years:

Admitting to or permitting in house of prostitution—
Iowa (note), Minnesota, South Carolina (note).
Employing about assignation house—
Delaware.
Enticing to, soliciting, harboring, or using for unlawful sexual purposes—
Colorado (also enticing to house of prostitution), Delaware, Massachusetts, Minnesota (enticing to house of prostitution or cohabiting with), Oregon.
Sending as messenger to house of prostitution (notes)—
California, Minnesota, Nevada, Washington.
Unlawful sexual intercourse—
Colorado, Florida, Kentucky (penalty is greater if under 12 or between 12 and 16), Washington (penalty is greater if under 10 or between 10 and 15).

21 years:

Admitting to or harboring in house of prostitution—
Nebraska, Washington (note), Wyoming (note).
Debauching or depraving morals—
Nebraska.
Employment about house of prostitution forbidden—
Wyoming (note).
Enticing to house of prostitution—
Nevada.
Lewd, immoral, or lascivious conduct—
Indiana, Wyoming.
Sending as messenger to house of prostitution—
Utah (in cities of first or second class, note).

Minor child (age not specified):

Admitting to or harboring in house of prostitution—
California, Idaho, Montana, Porto Rico.
Disposing of, taking, receiving, or employing for purposes of prostitution—
Delaware, Indiana, Pennsylvania.

B. BOYS—SPECIAL PROVISIONS FOR THEIR PROTECTION—Continued.

Minor child (age not specified)—Continued.

Employment about house of prostitution forbidden (note)—

Delaware, Idaho.

Enticing to prostitution or to enter house of prostitution—

District of Columbia, Oregon.

Entering or visiting house of prostitution—

Oregon (punishment for the minor).

Lewd, immoral, or lascivious conduct—

North Dakota, Wisconsin.

Permitting in house of prostitution—

Michigan (student).

Sending as messenger to house of prostitution—

New York, Pennsylvania (note).

Age not specified:

Procuring or soliciting for purposes of prostitution—

Colorado (note), Kansas (note), North Carolina (note).

Sending as employee or entertainer to house of prostitution (employment agency)—

Michigan (note), New York (note), Ohio (note).

C. CHILD OF EITHER SEX FOUND LIVING IN OR FREQUENTING HOUSE OF PROSTITUTION, JURISDICTION OF JUVENILE COURT.

The texts of State laws upon this subject are not included in this compilation, but references to them are given in notes appended to the laws of each State. Specific provisions of this character have been noted in Arizona, Arkansas, Colorado, Delaware, District of Columbia, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin. (Only specific statutory provisions have been noted; in a number of States not given in this list the juvenile court has jurisdiction under a broad interpretation of the juvenile court law.)

TEXT OF STATE LAWS

ALABAMA

Carnal knowledge or abuse; age of consent:

Female child under 12, penalty.

Girl between 12 and 16; accused over 16; penalty.

Abduction; prostitution:

Girl under 14, abducting for immoral purposes.

Female under 21, permitting use for purposes of prostitution.

Note—Enticing or using females for immoral purposes.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 12 years of age, carnal knowledge or abuse; penalty.—Any person who has carnal knowledge of any girl under twelve years of age, or abuses such girl in the attempt to have carnal knowledge of her, must, on conviction, be punished, at the discretion of the jury, either by death or by imprisonment in the penitentiary for not less than ten years. [Code 1923, sec. 5410.]

Girl between 12 and 16 years of age, accused over 16; penalty.—Any person who has carnal knowledge of any girl over twelve and under sixteen years of age, or abuses such girl in the attempt to have carnal knowledge of her, must, on conviction, be punished at the discretion of the jury, by imprisonment in the penitentiary for not less than two nor more than ten years. This section, however, shall not apply to boys under sixteen years of age. [Ibid., sec. 5411.]

ABDUCTION—PROSTITUTION

Girl under 14, abducting for immoral purposes.—Any person, who takes any girl under fourteen years of age from her father, mother, guardian, or other person having the legal charge of her, for the purpose of prostitution, concubinage, or marriage, must, on conviction, be imprisoned in the penitentiary for not less than two years. [Ibid., sec. 3185.]

Female under 21 years of age, penalty for parent or custodian permitting her to be used for purposes of prostitution.—Any parent, guardian or other person having the custody or control of any female under the age of twenty-one years, who consents to her being used, taken or detained by any person for the purpose of prostitution or sexual intercourse, shall be fined not more than one thousand dollars, or sentenced to hard labor for the county for not more than one year, or both. [Ibid., sec. 3187.]

NOTE.—Enticing or using females for immoral purposes. [Ibid., sec. 3186.]

ARIZONA

Carnal knowledge or abuse; age of consent:

Female under 18.

Accused under 14, proof required.

Essential element of the crime.

Penalty for rape.

Abduction; seduction; prostitution:

Female under 18, abduction for purposes of prostitution.

Female pupil, seduction by teacher.

Female under 18, seduction under promise of marriage.

Notes—

Child under 18 found living in house of prostitution, jurisdiction of juvenile court.

Woman or girl, traffic in for immoral purposes.

Indecent, lewd, or lascivious conduct with child:

Child under 14 (male or female); penalty.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female under 18 years of age, unlawful carnal intercourse.—Rape is an act of sexual intercourse accomplished with a female, not the wife of the perpetrator, under either of the following circumstances:

(1) Where the female is under the age of eighteen years. * * *. [Penal Code 1913, sec. 231.]

Accused under 14, proof required.—No conviction for rape can be had against one who was under the age of fourteen years at the time of the alleged act, unless his physical ability to accomplish penetration is proved as an independent fact and beyond a reasonable doubt. [*Ibid.*, sec. 232.]

Essential element of the crime.—The essential guilt of rape consists in the outrage to the person and feelings of the female. Any sexual penetration, however slight, is sufficient to complete the crime. [*Ibid.*, sec. 233.]

Penalty.—Rape is punishable by confinement in the State prison for life or for any term of years not less than five. [*Ibid.*, sec. 234.]

ABDUCTION—SEDUCTION—PROSTITUTION

Female under 18, abduction for purposes of prostitution.—Every person who takes away any female under the age of eighteen years from her father, mother, guardian, or other person having the legal charge of her person, without their consent, for the purpose of prostitution, is punishable by imprisonment in the state prison not exceeding five years, and a fine not exceeding one thousand dollars. [*Ibid.*, sec. 237.]

Female pupil, seduction by teacher; penalty.—Any person who is superintendent, tutor or teacher in a private or public school, or an instructor of any female in music or any branch of learning, who has sexual intercourse at any time or place with any female, with her consent, while under his instruction or during the time of his engagement as superintendent, tutor, teacher or instructor, is punishable by imprisonment in the state prison not less than one year, nor more than ten years. [*Ibid.*, sec. 238.]

Female under 18, seduction under promise of marriage; penalty.—Any person who under any promise of marriage shall induce any unmarried female of previous good repute for chastity, under the age of eighteen years, to permit him to have sexual intercourse with her, and does have sexual intercourse with such female, is guilty of seduction, and upon conviction thereof shall be imprisoned in the state prison for not less than one nor more than five years, unless the accused shall before trial for the offense have married, or in good faith offered to marry such female, and such offer has been by her rejected. [*Ibid.*, sec. 239.]

NOTES.—Child under 18 years of age found living in house of prostitution may be found by the court hearing children's cases to be a dependent or neglected child. [*Ibid.*, sec. 255.]

Enticing, procuring or transporting any woman or girl for purposes of prostitution. [*Ibid.*, secs. 236, 242-248.]

INDECENT, LEWD, OR LASCIVIOUS CONDUCT WITH CHILD

Child under 14 years of age (male or female); penalty.—Any person who shall wilfully and lewdly commit any lewd or lascivious act other than the acts constituting other crimes provided for in part one of this code, upon or with the body, or any part or member thereof, of a child under the age of fourteen years, with the intent of arousing, appealing to or gratifying the lust or passions or sexual desires of such person or of such child, shall be guilty of a felony and shall be imprisoned in the state prison not less than one year. [*Ibid.*, sec. 282.]

ARKANSAS

Carnal knowledge or abuse; age of consent:

Female child under 16; penalty.

Abduction; seduction; prostitution:

Female child under 15, abducting for immoral purposes.

Female under 18, enticing to prostitution or immoral practices.

Notes—

Child within juvenile-court age found living in or frequenting house of ill fame, jurisdiction of juvenile court.

Traffic in females for immoral purposes.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 16, carnal knowledge or abuse; penalty.—Every person convicted of carnally knowing or abusing unlawfully, any female person under the age of sixteen years shall be imprisoned in the penitentiary for a period of not less than one year nor more than twenty-one years. [*Digest of Stats.* 1921, sec. 2720.]

NOTE.—Rape of a female is punishable by death; assault with intent to rape is punishable by imprisonment of 3 to 21 years. [*Ibid.*, secs. 2719 and 2721.]

ARKANSAS—Continued

ABDUCTION—SEDUCTION—PROSTITUTION

Female child under 15 years of age, abducting for immoral purposes.—Every person who shall take away any female under the age of fifteen years from her father, mother, guardian, or other person having the legal charge of her person, without their consent, either for the purpose of prostitution or concubinage, shall, upon conviction, be fined in any sum not less than four hundred dollars, and be imprisoned not less than one year. [*Ibid.*, sec. 2325.]

Female under 18, enticing to prostitution or immoral practices.—Any person who shall inveigle, or entice, or attempt to inveigle or entice any female person, under the age of eighteen years, to any place, or shall conceal or aid, or abet in enticing, inveigling, or concealing any such female, so inveigled or enticed, for the purpose of prostitution, or lewdness, or other immoral practices, shall, on conviction, be imprisoned not less than two years nor more than twenty years in the State penitentiary. [*Ibid.*, sec. 2712.]

NOTES.—A boy under 17 or a girl under 18 years of age found living in a house of ill fame may be found by the juvenile court to be a dependent or neglected child, and such a child who knowingly visits or frequents a place of this character may be found to be a delinquent child. [*Ibid.*, secs. 5753–5754.]

Traffic in females for immoral purposes. [*Ibid.*, secs. 2703–2713.]

CALIFORNIA

Carnal knowledge or abuse; age of consent:

Female under 18.

Accused under 14, proof required.

Essential element of the crime.

Penalty.

Additional punishment if female child is under 10 (sterilization).

Abduction; seduction; prostitution:

Female under 18, abduction for immoral purposes.

Female under 18 (unmarried), enticing to illicit intercourse.

Minor of either sex, admission to house of prostitution forbidden.

Notes—

Child under 18, penalty for sending as messenger to house of prostitution.

Females, traffic in for immoral purposes.

Indecent, lewd, or lascivious conduct with child: Child under 14 (male or female); penalty.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female under 18, unlawful sexual intercourse.—Rape is an act of sexual intercourse, accomplished with a female not the wife of the perpetrator, under either of the following circumstances:

1. Where the female is under the age of eighteen years. * * * [*Penal Code 1920 (Kerr's)*, sec. 261.]

Accused under 14, proof required.—No conviction for rape can be had against one who was under the age of fourteen years at the time of the act alleged, unless his physical ability to accomplish penetration is proved as an independent fact, and beyond a reasonable doubt. [*Ibid.*, sec. 262.]

Essential element of the crime.—The essential guilt of rape consists in the outrage of the person and feelings of the female. Any sexual penetration, however slight, is sufficient to complete the crime. [*Ibid.*, sec. 263.]

Penalty.—Rape is punishable by imprisonment in the state prison not more than fifty years, except where the offense is under subdivision one of section two hundred sixty-one of the Penal Code, in which case the punishment shall be either by imprisonment in the county jail for not more than one year or in the state prison for not more than fifty years, and in such case the jury shall recommend by their verdict whether the punishment shall be by imprisonment in the county jail or in the state prison; provided, that when the defendant pleads guilty of an offense under subdivision one of section 261 of the Penal Code the punishment shall be in the discretion of the trial court, either by imprisonment in the county jail for not more than one year or in the state prison for not more than fifty years. [*Ibid.*, sec. 264, as amended by Laws of 1923, ch. 130.]

Additional punishment if female is under 10 years of age.—Whenever any person shall be adjudged guilty of carnal abuse of a female person under the age of ten years, the court may, in addition to such other punishment or confinement as may be imposed, direct an operation to be performed upon such person, for the prevention of procreation. [*Ibid.*, sec. 645, added by Laws of 1923, ch. 224.]

ABDUCTION—SEDUCTION—PROSTITUTION

Female under 18, abduction; penalty.—Every person who takes away any female under the age of eighteen years from her father, mother, guardian, or other person having the legal charge of her person, without their consent, for the purpose of prostitution, is punishable by imprisonment in the state prison not exceeding five years, and by a fine not exceeding one thousand dollars. [Ibid., sec. 267.]

Female under 18 (unmarried), enticing to illicit intercourse.—Every person who inveigles or entices any unmarried female, of previous chaste character, under the age of eighteen years, into any house of ill-fame, or of assignation, or elsewhere, for the purpose of prostitution, or to have illicit carnal connection with any man; and every person who aids or assists in such inveiglement or enticement; and every person who, by any false pretenses, false representation, or other fraudulent means, procures any female to have illicit carnal connection with any man, is punishable by imprisonment in the state prison not exceeding five years, or by imprisonment in a county jail not exceeding one year, or by a fine not exceeding one thousand dollars, or by both such fine and imprisonment. [Ibid., sec. 266.]

Minor of either sex, admission to house of prostitution forbidden.—Any proprietor, keeper, manager, conductor, or person having the control of any house of prostitution, or any house or room resorted to for the purpose of prostitution, who shall admit or keep any minor of either sex therein; or any parent or guardian of any such minor, who shall admit or keep such minor, or sanction, or connive at the admission or keeping thereof, into, or in any such house, or room, shall be guilty of a misdemeanor.³⁰ [Ibid., sec. 309.]

NOTES.—Parent, guardian, employer, and so forth, forbidden to send child under 18 to house of prostitution or other immoral place. [Ibid., sec. 273f.]

For provisions regarding taking or procuring female for purposes of prostitution, and so forth, see secs. 266a to 266g (being Laws of 1905, pp. 655-656).

INDECENT, LEWD, OR LASCIVIOUS CONDUCT WITH CHILD

Child under 14 years of age (male or female), penalty for person taking indecent liberties.—Any person who shall wilfully and lewdly commit any lewd or lascivious act other than the acts constituting other crimes provided for in part two [one]⁶ of this code upon or with the body, or any part or member thereof, of a child under the age of fourteen years, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of such person or of such child, shall be guilty of a felony and shall be imprisoned in the state prison not less than one year. [Ibid., sec. 288.]

COLORADO

Carnal knowledge or abuse; age of consent:

Female under 18 (unmarried), unlawful sexual intercourse; punishment according to degree of offense (female under 18, male over 18, first-degree rape; both under 18, third degree).

First-degree rape deemed forcible.

Essential element of the crime.

Punishment for female of any age inducing boy under 18 to sexual intercourse.

Application of act.

Proof required.

Indecent, lewd, or lascivious conduct with child: Child under 16 (male or female); accused over 14, punishment.

Seduction; prostitution:

Female under 18.

Child under 18 (male or female), punishment for person enticing to house of prostitution.

Chaste female under 20, enticing to improper places; penalty.

Notes—

Child under 18 found living in or knowingly visiting or entering house of ill fame, jurisdiction of court hearing children's cases.

Male or female, procuring for prostitution.

⁵ Punishment for misdemeanor, when not otherwise prescribed.—Except in cases where a different punishment is prescribed by this code, every offense declared to be a misdemeanor is punishable by imprisonment in a county jail not exceeding six months, or by a fine not exceeding five hundred dollars, or by both. [Ibid., sec. 19.]

⁶ Part I of the penal code deals with procedure only.

COLORADO—Continued

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female under 18 (unmarried), unlawful sexual intercourse; punishment according to degree of offense (female under 18, male over 18, first degree; both under 18, third degree); punishment for female of any age inducing boy under 18 to sexual intercourse.—Rape is an act of sexual intercourse, accomplished with, by or between a male and a female person, or male and female persons, where such female person is not the wife of the principal perpetrator, as distinguished from accessory to such offense, under any of the following circumstances:

1. By the male person where the female person is unmarried, and where the female person is under, and the male person is over the age of eighteen years; and this is rape in the first degree.

* * * * *

9. By the male person where both the male and female persons are under the age of eighteen years, and the same is not rape in the first or the second degree as in this act defined; and this is rape in the third degree.

10. By the female person of whatever age, not being an accessory as defined in sub-division numbered eleven (11) of section one (1) of this act, where the male person is under the age of eighteen years, where such sexual intercourse is had at the solicitation, inducement, importuning or connivance of such female person, or where such female person was at the time of commission of such offense, a free, common, public or clandestine prostitute, and the male person was, prior and up to the time of commission of the offense, of good moral character; and this is rape in the third degree.

11. By either a male or a female person or persons of whatever age where such person, whether male or female, stands by and aids, abets, or assists, or who not being present, aiding, abetting, or assisting, hath procured, advised or encouraged the perpetration of the crime of rape, as in this act defined; in which case such person or persons shall be deemed accessories, and deemed and punished the same as principals, whatever the degree of the offense. [Comp. Laws 1921, sec. 6689.]

First-degree rape deemed forcible.—All cases of rape as herein defined as rape in the first degree shall be and are deemed carnal knowledge of a female person forcibly and against her will. [Ibid., sec. 6690.]

Essential element of the crime.—The essential guilt of rape by the male person consists in the outrage to the person and feelings of the female; any penetration, however slight, is sufficient to complete the crime. [Ibid., sec. 6691.]

Punishment for rape according to degree of the offense.—1. Rape in the first degree, as in this act defined, is punishable, at the discretion of the court, by imprisonment in the state penitentiary for life, or for a period of not less than three years; *Provided*, Where the person convicted was under the age of twenty years when the offense was committed, the court before whom the offender is tried and convicted may commute the punishment for the offense, where the conviction was had under sub-division numbered one (1), in section one (1) of this act, to commitment to the state reformatory. *And, Provided, further*, Where any person convicted under sub-division numbered one (1) in section one (1) of this act shall have previously borne a good reputation, the court may in its discretion commute the sentence to commitment to the state reformatory. * * *

3. Rape in the third degree, as in this act defined, is punishable, at the discretion of the court, by a fine of not more than one thousand dollars, nor less than two hundred dollars; or by imprisonment for not more than five years, nor less than one year; or by both such fine and imprisonment; or by commitment to the state industrial school for boys, or to the state industrial school for girls, as by law provided. [Ibid., sec. 6692.]

Application of act.—Nothing in this act shall be held to apply to, or in any manner interfere with, the laws against incest, the infamous crimes against nature, seduction, adultery, fornication and other kindred offenses against the person. [Ibid., sec. 6693.]

Proof required.—It shall not be necessary to prove emission to convict any person of the crime of rape, or the crime against nature. [Ibid., sec. 6694.]

INDECENT, LEWD, OR LASCIVIOUS CONDUCT WITH CHILD

Child under 16 (male or female), punishment for person over 14 taking indecent or improper liberties.—Any person over the age of fourteen years who shall assault any child under sixteen years of age and shall take indecent and improper liberties with the person of such child, or who shall entice, allure or persuade any such child into any room, office or to any other place for the purpose of taking such immodest, immoral, and indecent liberties with such child, or who shall take or attempt to take such liberties with the person of such child at any place, shall be deemed a felonious assaulter, and, on conviction thereof, shall be punished, if over eighteen years of age, by confinement in the penitentiary for a term not more than ten years, and, if under eighteen years of age, may be punished by commitment to the state reformatory or to the state industrial school. [*Ibid.*, sec. 6696.]

SEDUCTION—PROSTITUTION

Female child under 16, seduction with or without promise of marriage.—Any man who shall, under promise of marriage seduce and have illicit connection with any unmarried female, of previous chaste character, or who shall, without such promise of marriage, seduce and have illicit connection with any unmarried female, of previous chaste character, under the age of sixteen years, shall be guilty of a felony, and upon conviction shall be punished by imprisonment in the penitentiary, not exceeding ten years; *Provided*, That no conviction shall be had under this act on the testimony of the female seduced, unsupported by other evidence, nor unless the indictment shall be found, or the information laid, within two years after the commission of the offense; and, *Provided, further*, That the subsequent marriage of the parties, prior to judgment upon the indictment, or information, shall be a bar to the further prosecution of the offense. [*Ibid.*, sec. 6841.]

Child under 18 (male or female), punishment for person enticing to house of prostitution.—If any person shall entice any unmarried males or females of good repute, under the age of eighteen years, to any house of ill fame, or to any assignation house, or to any other house of bad repute, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than one hundred dollars, nor more than one thousand dollars, or imprisoned in the county jail not less than thirty days, nor more than six months, or both such fine and imprisonment, in the discretion of the court. And the keeper or proprietor of any such house, to which an unmarried female shall be enticed, as aforesaid, shall be held and deemed guilty of the said misdemeanor as principal, and shall be punished accordingly. [*Ibid.*, sec. 6843.]

Chaste female under 20, penalty for enticing to improper places.—If any person or persons shall entice any unmarried female of previous chaste reputation, under the age of twenty years, to any dance house, tippling house, or other place of low resort, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof shall be fined not less than one hundred dollars, nor more than one thousand dollars, or imprisoned in a county jail not less than thirty days, nor more than twelve months, or both, in the discretion of the court. [*Ibid.*, sec. 6842.]

NOTES.—A child under 18 found living in a house of ill fame would come within the jurisdiction of the juvenile court as a "dependent" or "neglected" child. [Laws of 1923, ch. 77, sec. 1.]

A child under 18 who knowingly visits or enters a house of ill repute may be adjudged a "delinquent" child. [*Ibid.*, ch. 75.]

Procuring or soliciting male or female persons for the purpose or business of prostitution. [Comp. Laws 1921, secs. 6844-6847.]

CONNECTICUT

Carnal knowledge or abuse; age of consent:

Female child under 16, carnal knowledge and abuse; penalty.

Assault with intent to carnally abuse; penalty.

Abduction; seduction; prostitution:

Minor female, abduction; seduction.

Female under 21, penalty for parent or guardian permitting use for immoral purposes.

Notes—

Female, enticing or using for immoral purposes.

Female help or servant, employment agency forbidden to send to house of ill repute.

CONNECTICUT—Continued

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 16, carnal knowledge and abuse; punishment.—Any person who shall commit the crime of rape upon any female of the age of sixteen years or more shall be imprisoned in the state prison not more than thirty years; and any person who shall carnally know and abuse any female under the age of sixteen years shall be fined not more than one thousand dollars or imprisoned not more than thirty years or both. [Gen. Stats. 1918, sec. 6392 as amended by Public Acts 1923, ch. 47.]

Assault with intent to carnally abuse female child under 16; penalty.—Every person who shall make an assault upon the body of any female, under the age of sixteen years, with intent to carnally know and abuse said female, shall be imprisoned not more than ten years; and any person prosecuted for carnally knowing and abusing any female under the age of sixteen years may be convicted of the offense mentioned in this section. [Ibid., sec. 6394.]

ABDUCTION—SEDUCTION—PROSTITUTION

Minor female, abduction; seduction.—Every person who shall seduce and commit fornication with any minor female, or who shall entice or take her away from her parent, guardian or residence, for such purpose or for the purpose of concubinage, shall be imprisoned not more than five years and fined not more than one thousand dollars. [Ibid., sec. 6378.]

Female under 21, penalty for parent or guardian consenting to her being used for immoral purposes.—Any parent, guardian or other person having the custody or control of any female under the age of twenty-one years, who consents to her being used, taken or detained by any person for the purpose of prostitution or sexual intercourse, shall be fined not more than one thousand dollars or imprisoned not more than one year or both. [Ibid., sec. 6380.]

NOTES.—Enticing or using female for immoral purposes. [Ibid., sec. 6379.]

Employment agency forbidden to send female help or servant to house of ill repute. [Ibid., sec. 2337.]

DELAWARE

Carnal knowledge or abuse; age of consent:

Female child under 7, carnal knowledge and abuse; penalty.

Assault with intent to ravish any female; penalty.

Child under 18 (male or female), penalty for using for sexual purposes.

Indecent, lewd, or lascivious conduct with child:

Female child under 16, penalty for lewdly playing with such child.

Prostitution:

Minor child, disposing of or employing for purpose of prostitution.

Notes—

Child within juvenile-court age knowingly visiting house of ill fame, jurisdiction of juvenile court.

Child under 18, also minor child, penalty for employing in or about house of assignation.

Females, traffic in for immoral purposes.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 7 years of age, carnal knowledge and abuse; penalty.—Whoever shall commit the crime of rape or who shall carnally know and abuse a female child under the age of seven years, shall be deemed guilty of a felony and shall suffer death; provided, however, that if the jury at the time of rendering their verdict, shall recommend the defendant to mercy, the court may, if it seems proper to do so, impose the sentence of life imprisonment instead of death. [Rev. Code 1915, sec. 4706.]

Assault with intent to ravish; penalty.—Whoever shall, with violence, assault any female with intent to commit a rape, shall be deemed guilty of felony, and shall be fined not less than two hundred nor more than five hundred dollars, shall be whipped with thirty lashes, and shall be imprisoned not exceeding ten years. [Ibid., sec. 4707.]

Child under 18 (male or female), penalty for person harboring or using for sexual purposes.—Whoever takes, receives, employs, harbors or uses, or causes or procures to be taken, received, employed, harbored, or used, a male or female under the age of eighteen years for the purpose of sexual intercourse; or whoever being proprietor or proprietress of any house of prostitution, reputed house of prostitution or assignation, house of ill-fame or assignation, harbors or employs any male or female in any such house, under the age of eighteen years, under any pretext whatever, shall be deemed guilty of a mis-

demeanor and upon conviction thereof in the Court of General Sessions shall be fined not more than one thousand dollars, or imprisoned for a term of not more than seven years, or both, at the discretion of the court.

The terms "house of prostitution," "reputed house of prostitution or assignation," "house of ill-fame or assignation" include all premises which, by common fame or report, are used for purposes of prostitution or assignation. [Ibid., sec. 4709.]

INDECENT, LEWD, OR LASCIVIOUS CONDUCT WITH CHILD

Female child under 16 years of age, penalty for lewdly playing with such child.—Whoever shall lewdly and lasciviously play or toy with any female child under the age of sixteen years, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding five hundred dollars and shall be imprisoned for a term not exceeding three years. [Ibid., sec. 4708.]

PROSTITUTION

Minor child, disposing of or employing for purposes of prostitution.—* * *, any person who, having the care, custody, or control of any minor child whatsoever, shall sell, apprentice, give away, or otherwise dispose of such minor, or who shall take, receive, or employ such minor, * * * for the purpose of prostitution, or any person who shall retain, harbor, or employ any minor child in or about any assignation house or brothel, shall be deemed guilty of a misdemeanor, and upon conviction thereof before any justice of the peace or court of record shall be fined not less than twenty dollars nor more than one hundred dollars for each and every offense. [Ibid., sec. 2223.]

NOTES.—A boy under 17 or a girl under 18 years of age who knowingly visits or enters a house of ill fame may be found by the juvenile court to be a delinquent child. [Ibid., sec. 3829.]

Traffic in females for immoral purposes. [Ibid., secs. 4789-4791.]

The employment of a child under 18 in or about any assignation house is forbidden. [Ibid., sec. 4709.] The employment of a minor child in or about any assignation house is forbidden. [Ibid., sec. 2223.]

DISTRICT OF COLUMBIA

Carnal knowledge or abuse; age of consent: Female child under 16; penalty.

Abduction; seduction; prostitution:

Female under 16, abduction.

Female between 16 and 21, seduction by teacher.

Female between 16 and 21, seduction.

Female under 18, enticing or taking to, or receiving in house of prostitution or elsewhere for immoral purposes.

Minor, female enticing to prostitution; penalty.

Notes—

Child under 16 found in house of ill fame, jurisdiction of juvenile court.

Girl or female, employment agency forbidden to send to house of prostitution.

Traffic in women and girls for immoral purposes.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 16 years of age, carnal knowledge and abuse; penalty.—Whoever has carnal knowledge of a female forcibly and against her will, or carnally knows and abuses a female child under sixteen years of age, shall be imprisoned for not more than thirty years: *Provided*, That in any case of rape the jury may add to their verdict, if it be guilty, the words "with the death penalty," in which case the punishment shall be death by hanging: *Provided further*, That if the jury fail to agree as to the punishment the verdict of guilty shall be received and the punishment shall be imprisonment as provided in this section. [Code 1919, sec. 808, as amended by 41 Stat., 567.]

ABDUCTION—SEDUCTION—PROSTITUTION

Female under 16, abduction.—Any person who, for purpose of prostitution, persuades, entices, or forcibly abducts from her home or usual abode, or from the custody and control of her parents or guardian, any female under sixteen years of age shall be punished by imprisonment for not less than two nor more than twenty years; and whoever knowingly secretes or harbors any such female so persuaded, enticed, or abducted as aforesaid shall suffer imprisonment for not more than eight years. [Code 1919, sec. 813.]

DISTRICT OF COLUMBIA—Continued

Female between 16 and 21, seduction by teacher.—Any male person over twenty-one years of age, who is superintendent, tutor, or teacher in any public or private school, seminary, or other institution, or instructor of any female in any branch of instruction, who has sexual intercourse with any female under twenty-one years of age and not under sixteen years of age, with her consent, while under his instruction during the term of his engagement as superintendent, tutor, or teacher, shall be imprisoned for not less than one year nor more than ten. [Code 1919, sec. 871.]

Female between 16 and 21, seduction.—If any person shall seduce and carnally know any female of previous chaste character, between the ages of sixteen and twenty-one years, out of wedlock, such seduction and carnal knowledge shall be deemed a misdemeanor, and the offender, being convicted thereof, shall be punished by imprisonment for a term not exceeding three years, or fined not exceeding two hundred dollars, or may be punished by both such fine and imprisonment. [Code 1919, sec. 873.]

Female under 18, enticing or taking to or receiving in house of prostitution or elsewhere for immoral purposes.—Any person who shall entice, decoy, place, take, or receive any female child under the age of eighteen years into any house of ill fame or disorderly house, for the purpose of prostitution, or any person who, having in his custody or control such child, shall dispose of it to be so received, or to be received in or for any obscene, indecent, or immoral purpose, exhibition, or practice, shall be deemed guilty of a misdemeanor, and when convicted thereof shall be subject to punishment by a fine of not more than one thousand dollars, or by imprisonment for a term not exceeding ten years, or both. [District of Columbia Comp. Stats. 1889, p. 540; 23 Stat., 303, sec. 4.]

Minor, penalty for female enticing to prostitution.—It shall not be lawful for any prostitute or lewd woman to invite, entice, persuade, or to address for the purpose of inviting, enticing, or persuading any person or persons, in or upon any avenue, street, road, highway, open space, alley, public square, or inclosure in the District of Columbia, to accompany, go with, or follow her to her residence, or to any other house or building, inclosure, or other place, for the purpose of prostitution, under a penalty, if the person so invited, enticed, or persuaded, or addressed for the purpose of inviting, enticing or persuading shall be an adult, of not more than twenty-five dollars for each and every offense, and if the person invited, enticed, or persuaded, or addressed for the purpose of inviting, enticing, or persuading be a minor, under a penalty of not more than fifty dollars for each and every such offense. * * * [27 Stat., 323, sec. 7 (1892).]

NOTES.—A child under 16 found in house of ill fame comes within the jurisdiction of the juvenile court. [23 Stat., 320, sec. 3; 34 Stat., 73, sec. 8.]

For further provisions regarding prostitution see the following: Enticing to prostitution forbidden [27 Stat., 323, sec. 7 (1892)]. Employment agencies forbidden to send girl or female to house of prostitution; prostitutes and procurers may not frequent employment agencies [34 Stat., 308, sec. 10 (1906)]. Federal law regarding white-slave traffic; application to District of Columbia [36 Stat., 825-827 (1910)]. Pandering defined and prohibited; punishment [36 Stat., 833 (1910)]. Police court to have jurisdiction concurrently with Supreme Court of the District of Columbia in matters pertaining to disorderly houses [37 Stat., 192 (1912)]. Houses of prostitution declared a nuisance; abatement [38 Stat., 280-282 (1914)].

FLORIDA

Carnal knowledge or abuse; age of consent:

Female child under 10; penalty.

Accused under 14, proof required.

Child under 18, male or female (unmarried and previously chaste); penalty.

Publication of name of raped female forbidden; penalty.

Prostitution:

Female under 16 (unmarried), penalty for procuring for purposes of prostitution.

Notes—

Child under 17 found in house of ill fame, jurisdiction of juvenile court.

Woman or girl, enticing to prostitution.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 10 years of age, unlawful carnal knowledge or abuse; penalty.—Whoever * * * unlawfully or carnally knows or abuses a female child under the age of ten years, shall be punished by death or by imprisonment in the State prison for life. It shall not be necessary to prove the actual emission of seed, but the crime shall be deemed complete upon proof of penetration only. [Rev. General Stats. 1920, sec. 5051.]

Accused under 14 years of age; proof required.—The common law rule "that a boy under fourteen years of age is conclusively presumed to be incapable of committing the crime of rape" shall not hereafter be in force in the State of Florida; the capability of a person to commit the crime of rape shall be determined by the jury. [Ibid. sec. 5052.]

Child under 18 years of age, male or female (unmarried and of previous chaste character), unlawful carnal intercourse; penalty.—Any person who has unlawful carnal intercourse with any unmarried person of previous chaste character, who at the time of such intercourse is under the age of eighteen years, shall be punished by imprisonment in the State penitentiary not more than ten years, or by fine not exceeding two thousand dollars. [Ibid., sec. 5409, as amended by Laws of 1921, ch. 8596.]

PUBLICATION OF NAME OF RAPED FEMALE FORBIDDEN

Unlawful to publish name or identity of raped female.—It is hereby made unlawful for any person or persons to print and publish or cause to be printed and published in any newspaper, magazine, periodical or any other publication in the State of Florida the name or identity of any female raped or upon whom an assault with intent to commit rape has been committed or may be committed. [Ibid., sec. 5053.]

Same; punishment.—Whoever is convicted of the violation of the provisions of section 5053 shall be punished by a fine of not more than one thousand dollars or by imprisonment in the county jail for not more than twelve months, or by both such fine and imprisonment, in the discretion of the court. [Ibid., sec. 5054.]

PROSTITUTION

Female under 16 (unmarried), penalty for procuring for purposes of prostitution.—Whoever procures for prostitution, or causes to be prostituted, any unmarried female who is under the age of sixteen years shall be punished by imprisonment in the State prison not exceeding ten years. [Ibid., sec. 5435.]

NOTES.—The term "delinquent" as defined in the juvenile-court act includes a child under 17 found in house of ill fame. [Ibid., sec. 2321.]

For provisions regarding enticing woman or girl to prostitution, see secs. 5412, 5413.

GEORGIA

Carnal knowledge or abuse; age of consent:

Female child under 14, unlawful sexual intercourse; penalty.

Penalty for rape.

Assault with intent to rape; penalty.

Note—Penalty for misdemeanor.

Publication of name of raped female forbidden.

Prostitution:

Note—Child under 16, inmate of brothel or bawdy house, jurisdiction of juvenile court.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 14 years of age, unlawful carnal intercourse.—It shall be unlawful for any person to have sexual or carnal intercourse with any female child under the age of fourteen (14) years, unless such person shall have previously become lawfully married to such female child. [Laws of 1918, No. 291, p. 259, sec. 1.]

Penalty.—Any person violating the provisions of section 1 of this act shall be guilty of rape, and on conviction thereof shall be punished as prescribed by section 94 of the Penal Code of Georgia of 1910, unless the jury trying the cause shall recommend that the defendant be punished as for a misdemeanor, in which event the same shall be made the judgment and sentence of the court. Provided, however, that no conviction shall be had for said offense on the unsupported testimony of the female in question. [Ibid., sec. 2.]

Penalty for rape.—The crime of rape shall be punished with death, unless the defendant is recommended to mercy by the jury, in which case the punishment shall be the same as for an assault with intent to commit a rape. [Park's Annotated Code 1914 (Penal), sec. 94.]

Assault with intent to rape.—An assault with intent to commit a rape shall be punished by imprisonment at hard labor in the penitentiary for not less than one year nor longer than twenty years. [Ibid., sec. 98.]

NOTE.—The maximum punishment for misdemeanor for which no penalty is otherwise provided may be fine of \$1,000, imprisonment for 6 months, or 12 months on the chain-gang, or it may be more than one of these. [Ibid., sec. 1065.]

GEORGIA—Continued

PUBLICATION OF NAME OF RAPED FEMALE FORBIDDEN

Unlawful to publish name or identity of raped female.—It shall be unlawful for any newspaper publisher, or any other person to print and publish, or cause to be printed and published in any newspaper, magazine, periodical or any other publication published in the State of Georgia the name or identity of any female who may have been raped, or upon whom an assault with intent to commit rape may have been made. [*Ibid.*, sec. 343 (a).]

PROSTITUTION

NOTE.—The term "wayward child" as used in the juvenile court law is construed to mean a boy or girl under 16 who is an inmate of a brothel or bawdy house. [Code 1914 (Penal), sec. 891.]

HAWAII

Carnal knowledge or abuse; age of consent:

Female child under 12, carnal knowledge or abuse; penalty.

Female child under 12, assault with intent to ravish; penalty.

Findings which jury may make on charge of rape or carnal abuse of female child under 12.

Findings jury may make on charge of carnal abuse of female child under 10; under 14.

Female under 15, carnal intercourse; penalty.

Indecent, lewd, or lascivious conduct with child; Female child under 12; penalty.

Abduction; seduction; prostitution:

Female child under 12, abduction.

Female under 18, penalty for parent or guardian knowingly permitting unlawful sexual intercourse.

Note—Soliciting or procuring for purposes of prostitution.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 12, carnal abuse; punishment.—Whoever ravishes or carnally abuses and knows any female under the age of twelve years, shall suffer the punishment of death, or imprisonment for life at hard labor, in the discretion of the court. [*Rev. Laws of 1915, sec. 3895.*]

Assault with intent to ravish female child under 12; penalty.—Whoever maliciously assaults any female with an intent to commit the crime of rape or maliciously assaults any female child under the age of twelve years with intent to ravish or carnally abuse and know such a child, shall be punished by a fine not exceeding one thousand dollars or imprisonment at hard labor for not more than five years or both. [*Ibid.*, sec. 3896.]

Findings which jury may make on charge of rape or carnal abuse of female child under 12.—Under an indictment charging a defendant with rape or with carnal abuse of a female child under the age of twelve years or with assault with intent to commit either of said offenses, the jury may find the defendant guilty of an indecent assault if the facts so warrant. [*Ibid.*, sec. 3898.]

Findings jury may make on charge of carnal abuse of female child under 10; under 14.—If on the trial of any person charged with the offenses of rape or sodomy, or with the offense of ravishing, carnally abusing any girl under the age of ten years, or with having sexual or carnal intercourse with any female of this Territory under the age of fourteen years, the jury shall not be satisfied that he is not guilty thereof, but shall be satisfied that he is guilty of an assault with intent to commit the same, then the jury may return as their verdict that he is not guilty of the offense so charged, and may find him guilty of an assault with intent to commit the same. [*Ibid.*, sec. 3833.]

Female under fifteen, carnal intercourse; punishment.—Whoever shall be convicted of having sexual or carnal intercourse with any female in this Territory, under the age of fifteen years, shall be imprisoned at hard labor for not less than three nor more than ten years, in the discretion of the court. [*Ibid.*, sec. 4149.]

NOTE.—Rape of any female is punishable by fine of \$1,000 or imprisonment for life or for any number of years. [*Ibid.*, sec. 3894.]

INDECENT, LEWD, OR LASCIVIOUS CONDUCT WITH CHILD

Female child under 12; penalty.—Whoever takes indecent and improper liberties with the person of a female child under the age of twelve years without committing or intending to commit the crime of rape shall be deemed guilty of indecent assault and on conviction thereof shall be punished by a fine not

exceeding one thousand dollars or imprisonment at hard labor for not more than five years, or both. [*Ibid.*, sec. 3897.]

ABDUCTION—SEDUCTION—PROSTITUTION

Abduction; penalty.—Whoever commits the offense of abduction, that is, by force or deception takes or entices away or detains any female, with intent to marry or to carnally defile her, or cause her to be married or carnally defiled, without her consent given previously to her being so taken or enticed away or detained, shall be punished by a fine not to exceed five hundred dollars, and imprisonment at hard labor not more than three years. [*Ibid.*, sec. 3900.]

Female child under 12, abduction.—If the female so abducted be a child under twelve years of age, such abduction shall be conclusively presumed to be by force, and without her consent and against her will. [*Ibid.*, sec. 3901.]

Female under 18, penalty for parent or guardian knowingly permitting unlawful sexual intercourse.—Any parent, guardian or person in control of any female child under the age of eighteen years, who shall aid or abet any such child in the commission of the offense of adultery or fornication or shall knowingly permit such child to commit such offense, or any parent, guardian, or person in control of any such child who shall aid or abet any person in the commission of the offense of fornication or adultery with such child or shall knowingly permit the commission of such offense with such child shall be deemed guilty of a felony, and upon conviction thereof shall be punished by imprisonment at hard labor for a term not exceeding three years. [*Ibid.*, sec. 4149A as added by Laws of 1917, Act No. 68.]

NOTE.—For provisions regarding soliciting, procuring, etc., for purposes of prostitution, see secs. 4156-4158.

IDAHO

Carnal knowledge or abuse; age of consent:

Female under 18.

Accused under 14, proof required.

Essential element of the crime.

Punishment.

Abduction; seduction; prostitution:

Female under 18 (unmarried), enticing to prostitution or illicit intercourse.

Female under 18, abducting for purposes of prostitution.

Minor of either sex, admission to house of prostitution forbidden.

Notes—

Child under 18 knowingly visiting house of ill fame, jurisdiction of juvenile court.

Employment of minor in house of prostitution.

Traffic in women and girls for immoral purposes.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 18 years of age, unlawful sexual intercourse.—Rape is an act of sexual intercourse accomplished with a female not the wife of the perpetrator, under either of the following circumstances:

1. Where the female is under the age of 18 years. * * *. [Comp. Stats. 1919, sec. 8262.]

Accused under 14 years of age; proof required.—No conviction for rape can be had against one who was under the age of 14 years at the time of the act alleged, unless his physical ability to accomplish penetration is proved as an independent fact, and beyond a reasonable doubt. [*Ibid.*, sec. 8263.]

Essential element of the crime.—The essential guilt of rape consists in the outrage to the person and feelings of the female. Any sexual penetration, however slight, is sufficient to complete the crime. [*Ibid.*, sec. 8264.]

Punishment.—Rape is punished by imprisonment in the state prison not less than five years, and the imprisonment may be extended to life. [*Ibid.*, sec. 8265.]

ABDUCTION—SEDUCTION—PROSTITUTION

Female under 18 (unmarried), enticing to prostitution or illicit intercourse.—Every person who inveigles or entices any unmarried female of previous chaste character, under the age of 18 years, into any house of ill fame, or of assignation, or elsewhere, for the purpose of prostitution, or to have illicit carnal connection with any man; and every person who aids or assists in such inveiglement or enticement, is punishable by imprisonment in the state prison not exceeding five years, or by imprisonment in a county jail not exceed-

IDAHO—Continued

ing one year, or by a fine not exceeding \$1,000, or by both such fine and imprisonment. [*Ibid.*, sec. 8267.]

Female under 18, abduction for purposes of prostitution.—Every person who takes away any female under the age of 18 years from her father, mother, guardian, or other person having the legal charge of her person, without their consent, for the purpose of prostitution, is punishable by imprisonment in the state prison not exceeding five years, and a fine not exceeding \$1,000. [*Ibid.*, sec. 8268.]

Minor of either sex, admission to house of prostitution forbidden.—Any proprietor, keeper, manager, conductor, or person having the control of any house of prostitution, or any house or room resorted to for the purpose of prostitution, who shall admit or keep any minor of either sex therein, or any parent or guardian of any such minor who shall admit or keep such minor, or sanction, or connive at the admission or keeping thereof, into or in any such house or room, shall be guilty of a misdemeanor. [*Ibid.*, sec. 8269.]

NOTES.—Under the juvenile court law the term "delinquent" child includes one under 18 who knowingly visits a house of ill fame. (Comp. Stats. 1919, sec. 1010.)

Employment of minor in house of prostitution forbidden. (Comp. Stats. 1919, sec. 1030.)

For provisions regarding the traffic in women and girls for immoral purposes, see Comp. Stats. 1919, secs 8270-8277.

ILLINOIS

Carnal knowledge or abuse; age of consent:

Female child under 16; accused 17 or over; penalty.

Abduction; seduction; prostitution:

Girl under 12, also chaste female, abducting for immoral purposes; penalty.

Girl under 18 (of previous chaste character), enticing to unlawful intercourse; penalty.

Girl under 18 (unmarried), permitting in house of prostitution; penalty.

Girl under 18, bringing into State for purpose of prostitution; penalty.

Notes—

Boy under 17, girl under 18 found living in or frequenting house of ill fame, jurisdiction of juvenile court.

Employment agencies forbidden to send female help or servants to questionable places.

Pandering, soliciting, or transporting girls or women for immoral purposes. Indecent, lewd, or lascivious conduct with child: Child under 15 (boy or girl), person 17 or over taking indecent liberties; penalty.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female under 16, unlawful carnal knowledge; accused 17 or over, penalty.— * * * Every male person of the age of seventeen years and upwards, who shall have carnal knowledge of any female person under the age of sixteen years and not his wife, either with or without her consent, shall be adjudged to be guilty of the crime of rape; *Provided*, That in case the said parties shall be legally married to each other before conviction, any legal proceedings shall abate. *And Provided*, That every male person of the age of 16 years and upwards who shall have carnal knowledge of a female forcibly and against her will shall be guilty of the crime of rape. Every person convicted of the crime of rape shall be imprisoned in the penitentiary for a term not less than one year and may extend to life. [Rev. Stats. 1921 (Smith's), ch. 38, sec. 490.]

ABDUCTION—SEDUCTION—PROSTITUTION

Abducting chaste female for immoral purposes.—Whoever entices or takes away any unmarried female of chaste life and conversation from the parent's home or wherever she may be found, for the purpose of prostitution or concubinage, or whoever aids and assists in such abduction for such purpose, shall be imprisoned in the penitentiary not less than one nor more than ten years. [*Ibid.*, sec. 1.]

Abducting child under 12 years of age; penalty.—Whoever unlawfully takes or decoys away any child under the age of twelve years with intent to detain or conceal such child from its parents, guardian, or other person having lawful charge of such child, shall be confined in the county jail not exceeding one year, or fined not exceeding \$2,000, or both, in the discretion of the court: *Provided*, This section shall not apply to any one who, in good faith, interferes to protect the child from abuse or cruel treatment. [*Ibid.*, sec. 2.]

Girl under 18 (of previous chaste character), enticing to unlawful intercourse.—Any person who shall seduce and obtain carnal knowledge of any

unmarried female under the age of eighteen years of previous chaste character, shall, on conviction, be punished by a fine of not less than one thousand dollars and not more than five thousand dollars or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment, and to stand committed until such fine and costs are fully paid, but no conviction shall be had of said crime upon the testimony of the female unsupported by other evidence: *And, provided*, That the subsequent intermarriage of the parties shall be a bar to the prosecution of said offense. [Ibid., sec. 537.]

Girl under 18 (unmarried), penalty for permitting in house of prostitution.—Whoever, being the keeper of a house of prostitution, or assignation house, building or premises in this state where prostitution, fornication or concubinage is allowed or practiced, shall suffer or permit any unmarried female under the age of eighteen years to live, board, stop or room in such house, building or premises, shall, on conviction, be imprisoned in the penitentiary not less than one year nor more than five years. [Ibid., sec. 167.]

Girl under 18, bringing into State for purposes of prostitution; penalty.—Whoever shall entice, induce, or procure to come into this State, any unmarried female under the age of eighteen years, for the purpose of prostitution, fornication or concubinage, or to enter any house of prostitution in this State, shall, on conviction, be imprisoned in the penitentiary not less than one nor more than five years. [Ibid., sec. 168.]

NOTES.—A boy under 17, girl under 18, found living in a house of ill fame may be adjudged by the juvenile court to be a dependent or neglected child, and if such a child knowingly frequents a house of ill repute he may be adjudged to be delinquent. [Ibid., ch. 58, secs. 100 and 103.]

Employment agencies are forbidden to send any female help or servant to a house of questionable repute. [Ibid., ch. 48, sec. 192.]

Transporting girls or women for immoral purposes, pandering, soliciting, etc. [Ibid., ch. 38, secs. 159-174.]

INDECENT, LEWD, OR LASCIVIOUS CONDUCT WITH CHILD

Child under 15 (boy or girl); person 17 or over taking indecent liberties; penalty.—Any person of the age of seventeen years and upwards who shall take, or attempt to take, any immoral, improper or indecent liberties with any child of either sex, under the age of fifteen years, with the intent of arousing, appealing to or gratifying the lust or passions or sexual desires, either of such person or of such child, or of both such person and such child, or who shall commit, or attempt to commit, any lewd or lascivious act upon or with the body, or any part or member thereof, of such child, with the intent of arousing, appealing to or gratifying the lust or passions or sexual desires, either of such person or of such child, or of both such person and such child, or any such person who shall take any such child or shall entice, allure or persuade any such child, to any place whatever for the purpose either of taking any such immoral, improper or indecent liberties with such child, with said intent, or of committing any such lewd, or lascivious act upon or with the body, or any part or member thereof, of such child with said intent, shall be imprisoned in the penitentiary not less than one year nor more than twenty years: *Provided*, That this act shall not apply to offenses constituting the crime of sodomy or other infamous crimes against nature, incest, rape or seduction. [Ibid., sec. 109.]

INDIANA

Carnal knowledge or abuse; age of consent: Child under 16 (male or female); penalty. Seduction; prostitution:

Female under 18, enticing to house of prostitution.

Female under 18, procuring for immoral purposes.

Female under 21, seduction under promise of marriage.

Minor, disposing of, taking, receiving, or employing for purposes of prostitution.

Notes—

Boy under 16 or girl under 17 found living in house of ill fame, jurisdiction of juvenile court.

Procuring female for purposes of prostitution.

Lewd, immoral, or lascivious conduct with child: Child under 21; penalty for instigating or aiding in self-pollution.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Child under 16 (male or female), unlawful carnal knowledge; penalty.—Whoever unlawfully has carnal knowledge of a * * * male or female child under sixteen (16) years of age * * * is guilty of rape, and, on conviction, shall be fined in any sum not exceeding one thousand dollars (\$1,000) at the

INDIANA—Continued

discretion of the court, and be imprisoned in the state prison not less than five years nor more than twenty-one years: *Provided*, In cases where a female upon whom the crime is committed is a child under the age of twelve years, the punishment shall be imprisonment in the state prison for life. Whoever perpetrates an assault and battery upon any female person with intent unlawfully to have carnal knowledge of such female person forcibly and against her will, shall be deemed guilty of attempted rape and on conviction thereof shall be fined in any sum not exceeding one thousand dollars (\$1,000) and shall be imprisoned in the state prison not less than five years nor more than twenty-one years. [Burns' Annotated Stats. 1914, sec. 2250, as amended by Laws of 1921, ch. 148, p. 373.]

SEDUCTION—PROSTITUTION

Female under 18; penalty for male person over 17 enticing to enter house of prostitution.—It shall be unlawful for any male person over the age of seventeen years, to cause, encourage or entice, any female person, other than his wife, under the age of eighteen years, to enter or to accompany any such person into a house of prostitution, assignation, * * * or any other place for vicious or immoral purposes; and any person so offending shall be guilty of a felony and shall be tried for such offense in any court of competent jurisdiction, and upon conviction thereof shall be imprisoned in the state prison not less than two years, and not more than fourteen years; and the fact that such a man shall have entered with such a woman any house of prostitution, assignation, * * * shall constitute prima facie evidence of criminal intent. [Burns' Annotated Stats., 1914, sec. 2356.]

Female under 18, procuring for immoral purposes; penalty.—Whoever induces, decoys, procures or compels any female under eighteen years of age, or causes any female over eighteen years of age, against her will, to have sexual intercourse with any person other than himself; or whoever knowingly permits any other person to have sexual intercourse with any female of good repute for chastity, upon premises owned or controlled by him, shall be fined not less than ten dollars nor more than five hundred dollars, to which may be added imprisonment in the county jail not less than one month nor more than six months. [Ibid., sec. 2370.]

Female under 21, seduction under promise of marriage.—Any male person who, under promise of marriage, shall have illicit carnal intercourse with any female of good repute for chastity, under the age of twenty-one years, shall be deemed guilty of seduction, and on conviction, shall be imprisoned in the state prison not less than one year, nor more than five years, and fined not exceeding five hundred dollars, or be imprisoned in the county jail not exceeding six months, and fined not exceeding one hundred dollars. [Ibid., sec. 2354.]

Minor child, disposing of, taking, receiving or employing for purposes of prostitution; penalty.—* * * any person who, having the care, custody or control of any minor child shall sell, apprentice, give away or otherwise dispose of such child, or who shall take, receive or employ such child for * * * the purpose of prostitution, and any person who shall retain, harbor or employ any minor child in or about any assignation house or brothel, * * * shall be guilty of a misdemeanor, and upon conviction thereof before any justice of the peace, mayor, police judge or criminal court shall be fined not less than ten dollars, nor more than one hundred dollars, to which may be added imprisonment not exceeding thirty days. [Ibid., sec. 2623.]

NOTES.—The term "neglected" child as used in the juvenile court act includes a boy under 16 or a girl under 17 found living in a house of ill fame. [Ibid., sec. 1643.] For provisions regarding procuring any female for purpose of prostitution, see secs. 2355, 2356, and 2356a-2356d, inclusive.

LEWD, IMMORAL, OR LASCIVIOUS CONDUCT WITH CHILD

Child under 21, penalty for any person instigating or aiding in self-pollution.—* * * Whoever entices, allures, instigates or aids any person under the age of twenty-one years to commit masturbation or self-pollution, shall be deemed guilty of sodomy, and, on conviction, shall be fined not less than one hundred dollars nor more than one thousand dollars, to which may be added imprisonment in the state prison not less than two years nor more than fourteen years. [Ibid., sec. 2374.]

IOWA

Carnal knowledge or abuse; age of consent: Female child under 16, accused under 25; female under 17, accused over 25; punishment.

Prostitution:

Female under 18, enticing to prostitution.

Female under 18 (unmarried), permitting to enter or remain in house of prostitution; penalty.

Notes—

Child under 18 found in or knowingly frequenting house of ill fame, jurisdiction of juvenile court.

Female, soliciting or enticing to or compelling prostitution.

Indecent, lewd, or lascivious conduct with child: Child under 16, penalty for person over 18 taking indecent liberties.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female under 16 years of age, carnal knowledge and abuse; penalty if female is under 16 and male under 25; if female is under 17 and male over 25.—If any person ravish and carnally know any female of the age of sixteen years or over, by force or against her will, or if any person under the age of twenty-five years carnally know and abuse any female child under the age of sixteen years, or if any person over the age of twenty-five years carnally know and abuse any female under the age of seventeen years, he shall be imprisoned in the penitentiary for life or any term of years. [Code 1924, sec. 12966.]

PROSTITUTION

Female under 18, enticing to prostitution.—If any person take or entice away any unmarried female under the age of eighteen years for the purpose of prostitution, he shall be imprisoned in the penitentiary not more than five years, or be fined not more than one thousand dollars and imprisoned in the county jail not more than one year. [Ibid., sec. 13182.]

Female under 18 (unmarried), penalty for permitting in house of prostitution.—Whoever, being the keeper of a house of prostitution, or assignation house, building, or premises in this state where prostitution, fornication, or concubinage is allowed, or practiced, shall suffer or permit any unmarried female under the age of eighteen years to live, board, stop, or room in such house, building, or premises, shall, on conviction, be imprisoned in the penitentiary not less than one year nor more than five years. [Ibid., sec. 13179.]

NOTES.—A child under 18 knowingly frequenting a house of ill fame may be adjudged to be delinquent by juvenile court, and one found living in such place, to be dependent. [Ibid., secs. 3618-3620.]

To send or cause such child to be sent to house of prostitution constitutes contributing to his delinquency. [Ibid., secs. 3658-3659.]

To solicit, entice, or compel female to engage in prostitution. [Ibid., secs. 13173-13182.]

INDECENT, LEWD, OR LASCIVIOUS CONDUCT WITH CHILD

Child under 16; penalty for any person over 18 taking indecent liberties.—Any person over eighteen (18) years of age who shall wilfully commit any lewd, immoral or lascivious act in the presence, or upon or with the body or any part or member thereof, of a child of the age of sixteen (16) years, or under, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of such person, or of such child, or of corrupting the morals of such child, shall be punished by imprisonment in the penitentiary not more than three (3) years, or by imprisonment in the county jail not more than six months, or by fine not exceeding five hundred dollars (\$500.00). [Ibid., sec. 13184.]

KANSAS

Carnal knowledge or abuse; age of consent: Female under 18; penalty.

Abduction; seduction; prostitution:

Female under 18, abducting for immoral purposes.

Female under 18, defilement by guardian.

Female under 18, enticing to prostitution; enticing to, taking or receiving into house of prostitution; disposing of or using for indecent or immoral purposes or practices.

Female under 21, seduction under promise of marriage.

Notes—

Child under 16 found living in house of ill fame, jurisdiction of juvenile court.

Male or female, enticing to or procuring for purposes of prostitution.

KANSAS—Continued

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 18 years of age, unlawful carnal knowledge; punishment.—Every person who shall be convicted of rape, either by carnally and unlawfully knowing any female under the age of eighteen years, * * * shall be punished by confinement and hard labor not less than five years nor more than twenty-one years. [Rev. Gen. Stat. 1923, sec. 21-424.]

ABDUCTION—SEDUCTION—PROSTITUTION

Female under 18, abduction for immoral purposes.—Every person who shall take away any female, under the age of eighteen years, from her father, mother, guardian, or other person having legal charge of her person, without their consent, either for the purpose of prostitution or concubinage, shall upon conviction thereof be punished by confinement and hard labor for a term not exceeding five years. [Ibid., sec. 21-428.]

Female under 18, defilement by guardian or person to whose care and protection confided.—If any guardian of any female under the age of eighteen years, or any other person to whose care or protection any such female shall have been confided, shall defile her by carnally knowing her, he shall, in cases not in this act otherwise provided for, be punished by confinement and hard labor not less than two years nor more than twenty-one years, or by imprisonment in a county jail not less than six months, and a fine not exceeding one thousand dollars. [Ibid., sec. 21-909.]

Female under 18, enticing to prostitution; enticing, taking, or receiving into house of prostitution; disposing of or using for immoral purposes, exhibitions or practices.—Any person who shall entice, decoy, place, take or receive any female child or person under the age of eighteen years, into any house of ill fame or disorderly house, for the purpose of prostitution; or any person who, having in his custody or control such child, shall dispose of it to be so received, or to be received in for any obscene, indecent or immoral purpose, exhibition or practice, when convicted thereof shall be punished by confinement in the penitentiary for not less than one nor more than two years. [Ibid., sec. 38-705.]

Female under 21, seduction under promise of marriage.—If any male person shall obtain illicit connection under promise of marriage, with any female of good repute under twenty-one years of age, he shall upon conviction thereof be punished by confinement and hard labor in the penitentiary for a term not exceeding five years: *Provided*, That the testimony of the woman alone shall not be sufficient evidence of a promise of marriage. [Ibid., sec. 21-429.]

NOTES.—Under the juvenile court law a child under 16 found living in a house of ill fame may be found to be "dependent" or "neglected." [Ibid., sec. 38-402.]

Enticing or procuring female for purposes of prostitution. [Ibid., sec. 21-937.]

Enticing or soliciting any male person to prostitution. [Ibid., sec. 21-942.]

KENTUCKY

Carnal knowledge or abuse; age of consent:

Female child under 12, carnal knowledge; penalty.

Attempt to rape infant under 12; penalty.

Child under 18 (male or female), unlawful carnal knowledge; punishment if complaining witness is under 12, 12-16, or 16-18. Procedure if defendant is under 18 (female) or under 17 (male). Punishment for defendant 17-21 (male) or 18-21 (female). Defense if complaining witness is over 16 and defendant under 21.

Abduction; seduction; prostitution:

Girl under 14, abduction.

Female under 21, seduction under promise of marriage.

Female under 21 (unmarried), enticing to prostitution.

Female under 16, admitting to house of prostitution.

Notes—

Boy under 17, girl under 18, knowingly visiting or entering, or found in house of ill fame, jurisdiction of juvenile court.

Females, traffic in for immoral purposes.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 12 years of age, carnal knowledge; penalty.—Whoever shall be guilty of the crime of rape upon the body of an infant under twelve years of age shall be punished with death, or with confinement in the penitentiary for life, in the discretion of the jury. [Stats. 1922 (Carroll's), sec. 1152.]

Attempt to rape infant under 12; penalty.—Whoever shall attempt to commit rape upon the body of an infant under twelve years of age shall be confined in the penitentiary not less than five nor more than twenty years. [*Ibid.*, sec. 1153.]

Child under 18 years of age (male or female), unlawful carnal knowledge; if under 12, 12 to 16, 16 to 18, penalty for offender. Procedure if defendant is under 18 (female) or under 17 (male). Punishment for defendant 17 to 21 (male) or 18 to 21 (female). Defense if complaining witness is over 16 and defendant under 21.—Every male person who shall carnally know, with her consent, any female child, not his wife, under the age of eighteen years, and every female person who shall carnally know any male child under the age of eighteen years, not her husband, shall be punished as follows:

(1) When such child is under the age of twelve years, by imprisonment in the State penitentiary for not less than twenty nor more than fifty years, or by death, in the discretion of the jury.

(2) When such child is of the age of twelve years and under the age of sixteen years, by imprisonment in the State penitentiary for not less than five years nor more than twenty years.

(3) When such child is of the age of sixteen years and under the age of eighteen years, by imprisonment in the State penitentiary for not less than two years nor more than ten years.

(4) Any female under the age of eighteen years and any male under the age of seventeen years, charged with a violation of any of the provisions of this act, shall be dealt with and proceeded against as are other juvenile delinquents, under the provisions of section 331e, Kentucky Statutes.

(5) Any male person of the age of seventeen years and under twenty-one years and any female person of the age of eighteen and under the age of twenty-one convicted of a violation of any of the provisions of this act, shall be punished by a fine not exceeding five hundred dollars and not as provided in sub-sections one, two, three and four of this act.

(6) When any complaining witness is over the age of sixteen years and the defendant being under the age of twenty-one years, the court or jury is authorized to hear testimony in aggravation or mitigation of said charge.

(7) Any female under the age of eighteen years and any male under the age of seventeen years, charged with violation of any of the provisions of this act, may be dealt with and proceeded against as are other juvenile delinquents under the provisions of section three hundred and thirty-one-c, [three hundred and thirty-one-e] Kentucky Statutes. This act shall in no way affect sections one thousand one hundred and fifty-one, one thousand one hundred and fifty-four, one thousand one hundred and fifty-eight or one thousand two hundred and fourteen of Kentucky Statutes. [Stats. 1922 (Carroll's), sec. 1155 as amended by Laws of 1922, ch. 17.]

ABDUCTION—SEDUCTION—PROSTITUTION

Girl under 14, abduction.—Whoever being above the age of fourteen years, shall unlawfully take, without her consent, any unmarried girl under the age of fourteen years, out of the possession of her father, mother, or other person having the lawful custody and charge of her, against the will and consent of such person, shall be confined in the penitentiary from one to two years, or fined from one to five hundred dollars (\$500.00), or both, at the discretion of the jury. [*Ibid.*, sec. 1156.]

Female under 21, seduction under promise of marriage.—Whoever shall, under promise of marriage, seduce and have carnal knowledge of any female under twenty-one years of age, shall be guilty of a felony and, upon conviction thereof, shall be confined in the penitentiary not less than one year nor more than five years. No prosecution shall be instituted where the person charged shall have married the girl seduced, or offer and be willing to marry her, unless he shall wilfully and without such cause as constitutes a statute ground of divorce to the husband, abandon or desert her within three years after the date of the marriage, and any prosecution instituted shall, upon the request of the defendant, be suspended if the party accused marry the girl seduced before final judgment; but the prosecution shall be renewed and proceed as though no marriage had taken place if the accused shall wilfully and without such cause as constitutes a statutory ground of divorce to the husband abandon or desert his wife within three years after the marriage. All prosecutions under this section shall be instituted within four years after the commission of the offense. [*Ibid.*, sec. 1214.]

KENTUCKY—Continued

Female under 21 (unmarried), enticing to prostitution.—Any person who shall be found guilty of inducing, persuading, aiding or abetting, or enticing any female who has never been married, under the age of twenty-one years, to enter a house of ill fame, house of prostitution, assignation or bawdy house, whereby such female so induced, persuaded, aided or enticed, shall be seduced and lose her virtue, shall, upon indictment and conviction, be confined in the penitentiary not less than two nor more than five years. [Ibid., sec. 1215.]

Female under 16, admitting to house of prostitution a felony.—Any person who shall admit to their house, or who shall take or direct to any house, for the purpose of prostitution, or lewdness, any female under the age of sixteen years shall be deemed guilty of a felony and upon conviction thereof be confined in the penitentiary for a period of not less than one year or more than five. [Ibid., sec. 1215a.]

NOTES.—Boy under 17, girl under 18, who knowingly visits or enters house of ill repute may be adjudged by the juvenile court to be a "delinquent" child, and such a child found living in house of ill fame may be adjudged to be "dependent" or "neglected." [Stat. 1922, sec. 331e-1.]

For provisions regarding securing, transporting, and so forth, any female for immoral purposes, see sections 1215b-1 to 1215b-3, inclusive [Laws of 1916, ch. 49].

LOUISIANA

Carnal knowledge or abuse; age of consent:

Female between 12 and 18 (unmarried); accused over 17; penalty.

Note.—Punishment for rape.

Indecent, lewd, or lascivious conduct with child: Child under 16 (male or female); penalty.

Prostitution:

Female under 18 (unmarried), permitted to be in house of prostitution; penalty.

Notes—

Women and girls, traffic in for immoral purposes.

Child under 17 found living in house of prostitution, jurisdiction of juvenile court.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female between 12 and 18 (unmarried), carnal knowledge by male over 17; punishment.—If any person over the age of 17 years shall have carnal knowledge of any unmarried female between the ages of 12 and 18 years, with her consent, he shall be deemed guilty of a felony and upon conviction thereof, shall be punished by imprisonment with or without hard labor not exceeding five years; provided, nothing in this Act shall affect the crime of incest. [Wolff's Stats. 1920, p. 398 (Laws of 1912, Act 192, p. 380).]

NOTE.—Rape is punishable by death. (See Wolff's Stats. 1920, p. 389; Rev. Stats. sec. 787 as amended by Laws of 1878, Act 24, p. 46.)

INDECENT, LEWD, OR LASCIVIOUS CONDUCT WITH CHILD

Child under 16 (male or female), indecent assault upon or indecent liberties taken with; punishment.—Whoever, with or without his or her consent, shall indecently assault or take any indecent liberties with any child, whether male or female, under the age of 16 years; or who, without his or her consent, shall indecently assault or take indecent liberties with any person, over the age of 16 years, shall be deemed guilty of an indecent assault and upon conviction, be fined not over one thousand dollars and be imprisoned, with or without hard labor, not exceeding ten years, or both; provided, that nothing in this Act shall be taken to affect or repeal the laws now in existence against rape, assault with intent to commit rape, carnal knowledge, sodomy, crime against nature, abduction or incest; provided, further, that nothing in this Act shall be taken to affect the punishment or mode of procedure in any case heretofore committed and now pending in any court. [Ibid., p. 399 (Laws of 1912, Act 202, p. 397).]

PROSTITUTION

Female under 18 (unmarried), punishment for permitting in house of prostitution.—Whoever, being the keeper of a house of prostitution or assignation house, building or premises in this State, where prostitution, fornication or concubinage is allowed or practiced, shall suffer or permit any unmarried female under the age of eighteen years, to live, board, visit, stop or room in such building, house or premises, shall, on conviction, be sentenced to impris-

onment at the discretion of the court for a term of not less than one month or more than one year, with or without hard labor. [Wolff's Stats. 1920, p. 1714 (Acts of 1910, Act 167, p. 251).]

NOTES.—Under the juvenile court law a child under 17 years of age found living in a house of prostitution may be deemed to be delinquent. [Acts of 1921 (extra session), No. 83, p. 128, sec. 6; No. 126, p. 317, sec. 4.]

For further provisions regarding the traffic in women and girls for immoral purposes, see Wolff's Stats. 1920, pp. 1711-1713, the same being taken from Acts of 1918, Act 118, p. 189 (soliciting); Acts of 1910, Act 307, p. 524 (pandering, transporting for immoral purposes any woman or girl); Acts of 1910, Act 288, p. 489 (detaining female in house of prostitution); Acts of 1906, Act 10, p. 17 (detaining woman against her will); Acts of 1910, Act 295, p. 499 (enticing from another State).

MAINE

Carnal knowledge or abuse; age of consent:

Female child under 14; penalty.

Female child under 14, assault with intent to rape; penalty.

Female between 14 and 16; accused over 18; penalty.

Indecent, lewd, or lascivious conduct with child:

Child under 16 (male or female); person 21 or more taking indecent liberties; penalty.

Prostitution:

Child under 16, penalty for admitting to disorderly house.

Notes—

Females, traffic in for immoral purposes.

Females, employment agencies forbidden to send to house of prostitution.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 14 years of age; unlawful carnal knowledge and abuse; penalty.—Whoever * * * unlawfully and carnally knows and abuses a female child under fourteen years of age, shall be punished by imprisonment for any term of years. [Rev. Stats. 1916, ch. 120, sec. 16.]

Female under 14; assault with intent to rape; penalty.—Whoever assaults a female of fourteen years of age or more, with intent to commit a rape, shall be punished by imprisonment not exceeding ten years, or by fine not exceeding five hundred dollars. If such assault is made on a female under fourteen years, such imprisonment shall be for not less than one, nor more than twenty years. [Ibid., sec. 22.]

Female between 14 and 16 years of age; carnal knowledge; accused over 18; penalty.—Whoever, being more than eighteen years of age, has carnal knowledge of the body of any female child, between the ages of fourteen and sixteen years, shall be punished by fine not exceeding five hundred dollars or by imprisonment for not more than two years. The provisions of this section shall not apply to cases of rape as defined in section sixteen of this chapter. [Ibid., sec. 27 as amended by Laws of 1917, ch. 106, p. 82.]

INDECENT, LEWD, OR LASCIVIOUS CONDUCT WITH CHILD

Child under 16 (male or female), penalty for person over 21 taking indecent liberties or indulging in immoral practices.—Whoever, being twenty-one years or more of age, takes any indecent liberty or liberties, or indulges in any indecent or immoral practice or practices, with the sexual parts or organs of any other person, male or female, under the age of sixteen years, either with or without the consent of such male or female person, shall, upon conviction thereof, be punished by imprisonment at hard labor, for not less than one, nor more than ten years. [Ibid., ch. 126, sec. 6.]

PROSTITUTION

Child under 16, admitting to or allowing in disorderly house.—Whoever admits or allows to remain in any disorderly house, house of ill fame, * * * or other place injurious to health or morals, owned, kept, maintained, managed or controlled by him in whole or in part, any child under the age of sixteen years, shall be punished by a fine not exceeding one hundred dollars or by imprisonment not exceeding sixty days. [Ibid., ch. 120, sec. 30.]

NOTES.—Procuring, transporting, or otherwise trafficking in females for immoral purposes. [Rev. Stat. 1916, ch. 126, secs. 12-21, inclusive; Laws of 1919, ch. 112.]

Employment agency forbidden to send female help or servant to questionable place or house of ill fame or prostitution. [Ibid., ch. 42, sec. 10.]

MARYLAND

Carnal knowledge or abuse; age of consent:

Female child under 14; penalty; assault with intent to have carnal knowledge; penalty.

Female between 14 and 16; accused over 18; penalty.

Abduction; prostitution:

Female under 18, abducting for immoral purposes.

Note—Women and girls, traffic in for immoral purposes.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 14, carnal knowledge and abuse; penalty.—If any person shall carnally know and abuse any woman child under the age of fourteen years, * * *, every such carnal knowledge shall be deemed felony, and the offender being convicted thereof shall at the discretion of the court suffer death or imprisonment for life in the penitentiary, or for a definite period, not less than eighteen months nor more than twenty-one years. [Bagby's Annotated Code, Vol. III, art. 27, sec. 421.]

Female between 14 and 16, unlawful carnal knowledge; accused over 18; penalty.—If any person shall carnally know any female not his wife between the ages of fourteen and sixteen years, such carnal knowledge shall be deemed a misdemeanor and the offender being convicted thereof shall be punished by imprisonment in the house of correction for a term not exceeding two years, or be fined in a sum not exceeding five hundred dollars, or be both fined and imprisoned in the discretion of the court; provided, that nothing in this section contained shall be construed to affect or interfere with the law relating to the crime of rape as now in force in this State; and provided further, that this section shall not apply to male persons under the age of eighteen years. [Ibid., sec. 422.]

Female child under 14, assault with intent to have carnal knowledge; penalty.—Every person convicted of crime of an assault with intent to * * * have carnal knowledge of a female child under age of fourteen years, shall be sentenced to confinement in the penitentiary for not less than two years, nor more than ten years; and every person convicted of the crime of an assault with intent to commit a rape shall be punished with death, or, in the discretion of the court, he shall be sentenced to confinement in the penitentiary for not less than two years nor more than twenty years; * * * [Ibid., sec. 17.]

ABDUCTION—PROSTITUTION

Female under 18, abducting for immoral purposes.—Any person who shall, for purposes of prostitution, fornication or concubinage, forcibly abduct from her home or usual place of abode or from the custody and control of her parent or parents or guardian any female under the age of eighteen years, or be accessory thereto, or who shall for said purpose, persuade or entice from her usual place of abode, or from the custody and control of her parent or parents or guardian, any such female, or be accessory thereto, or shall knowingly secrete or harbor any such female so abducted, persuaded or enticed as aforesaid, against the consent of her parent or parents or guardian, or the person or persons who may have temporary care, custody or control of such female, or be accessory thereto, shall, upon conviction, be deemed guilty of a misdemeanor, and shall undergo imprisonment in the penitentiary, in the discretion of the court, not exceeding the term of eight years; provided, that nothing contained in this section shall apply to cases pending nor to violations of the law which have heretofore occurred, but all cases and violations shall be prosecuted as if the law hereby repealed were still in force. [Ibid., sec. 1.]

NOTE.—Soliciting, transporting, or otherwise trafficking in women and girls for immoral purposes. [Code, vol. 3, art. 27, secs. 379–386 (Laws of 1910, ch. 25); vol. 4, art. 27, secs. 465A and 465B (Laws of 1918, ch. 83); Laws of 1920, ch. 737 (which repeals and reenacts art. 27, sec. 19).]

MASSACHUSETTS

Carnal knowledge or abuse; age of consent:

Female child under 16; penalty.

Assault with intent to rape; penalty.

Carnal knowledge, further protection for children: Child under 18 (of either sex), enticing to unlawful intercourse; penalty.

Abduction; seduction; prostitution:

Note—Woman or girl, abducting or procuring for purposes of prostitution.

Private hearings when children are involved in sex offenses: Complaining witness under 17, private hearing.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 16 years of age, unlawful carnal knowledge and abuse; penalty.—Whoever unlawfully and carnally knows and abuses a female child under sixteen shall be punished by imprisonment in the state prison for life or for any term of years, or, except as otherwise provided, for any term in any other penal institution in the commonwealth. [General Laws 1921, ch. 265, sec. 23.]

Assault with intent to rape; penalty.—Whoever assaults a female with intent to commit a rape shall be punished by imprisonment in the state prison for life or for any term of years or by a fine of not more than one thousand dollars and imprisonment in jail for not more than two and one-half years. [Ibid., sec. 24.]

ABDUCTION—SEDUCTION—PROSTITUTION

Child under 18 (male or female of chaste life), enticing to unlawful intercourse.—Whoever induces any person under eighteen of chaste life to have unlawful sexual intercourse shall be punished as provided in the preceding section.⁷ [Gen. Laws of 1921, ch. 272, sec. 4.]

NOTE.—Abducting woman or girl for the purpose of prostitution, procuring for or detaining in house of prostitution. [Ibid., ch. 272, secs. 2, 3, 6, 12, and 13.]

PRIVATE HEARINGS WHEN CHILDREN ARE INVOLVED IN SEX OFFENSES

Protection for complaining witnesses under 17 years of age at trials for crimes involving sex.—At the trial of a complaint or indictment for rape, incest, carnal abuse or other crime involving sex, where a minor under seventeen years of age is the person upon, with or against whom the crime is alleged to have been committed, or at the trial of a complaint or indictment for bastardy, where the mother of the child whose paternity is in question is such a minor, the presiding justice shall, if said trial is before a district court, or may, if before the superior court, exclude the general public from the court room, admitting only such persons as may have a direct interest in the case. [Laws of 1923, ch. 251, adding sec. 16A to ch. 278 of the Gen. Laws.]

MICHIGAN

Carnal knowledge or abuse; age of consent: Female under 16; penalty.

Indecent, lewd, or lascivious conduct with child:

Female child under 14, indecent assault upon without committing or intending to commit rape; indictment; penalty.

Male child under 15 debauched by female over 15 years of age.

Male child under 15 debauched by male person over 15 years of age.

Abduction; seduction; prostitution:

Female under 16, abducting for immoral purposes; penalty.

Female under 18, seduction by guardian; penalty.

Female 17 or under, permitting in house of prostitution; penalty.

Child under 17 (male or female), also student; penalty for permitting in house of prostitution.

Notes—

Child within juvenile-court age found living in or knowingly visiting or entering house of ill fame.

Females, traffic in for immoral purposes.

Any person applying for employment, employment agency may not send to house of prostitution.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female under 16, unlawful carnal knowledge and abuse; penalty.—If any person shall * * * unlawfully and carnally know and abuse any female under the full age of sixteen years, he shall be punished by imprisonment in the state prison for life, or for any such period as the court in its discretion shall direct, and such carnal knowledge shall be deemed complete upon proof of penetration only. [Comp. Laws 1915, ch. 256, sec. 15211.]

⁷ Imprisonment in State prison for not more than three years or in jail or house of correction for not more than two and one-half years or by a fine of not more than \$1,000, or by both such fine and imprisonment in jail or house of correction. [Gen. Laws 1921, ch. 272, sec. 3.]

MICHIGAN—Continued

INDECENT, LEWD, OR LASCIVIOUS CONDUCT WITH CHILD

Female child under 14, indecent assault upon without committing or intending to commit rape.—If any male person or persons over the age of fourteen years shall assault a female child under the age of fourteen years, and shall take indecent and improper liberties with the person of such child, without committing or intending to commit the crime of rape upon such child, he shall be deemed a felonious assaulter, and on conviction thereof shall be punished by imprisonment in the state prison not more than ten years, or by fine not exceeding one thousand dollars, or both such fine and imprisonment, in the discretion of the court. [Ibid., sec. 15503.]

Same, indictment in case of above offense; penalty.—Any indictment or information charging any person or persons with rape, or an attempt to commit a rape, upon any female, if such female shall be at the time such offense is claimed to have taken place, under the age of fourteen years, may also contain a count charging such person or persons to be a felonious assaulter under section one of this act [sec. 15503]; and the jury who shall try such cause may convict of either offense, and may find all or any of the persons indicted or informed against guilty of either of the offenses charged in such indictment or information. [Ibid., sec. 15504.]

Male child under 15 debauched by female over 15 years of age.—Any female person over the age of fifteen years, who shall knowingly and wilfully debauch the person and deprave the morals of any boy under the age of fifteen years, either by lewdly inducing or enticing any such boy to carnally know any such female person, or by indecent bodily contact with the person of any such boy communicating to him any venereal or other loathsome disease, shall be deemed guilty of a felony, and, upon conviction thereof, be punished by imprisonment in the state prison for not more than five years, in the discretion of the court. [Ibid., sec. 15509.]

Male child under 15, debauched by male person over 15 years of age.—Any male person over the age of fifteen years who shall debauch and deprave the morals of any boy under fifteen years of age, by enticing or soliciting such boy to commit the abominable and detestable crime against nature, either with any man or beast, or who shall himself commit or attempt to commit the abominable and detestable crime against nature with or upon any such boy, whether with or without the consent of such boy, shall be deemed guilty of a felony, and upon conviction thereof be punished by imprisonment in the state prison for not more than five years, in the discretion of the court. [Ibid., sec. 15510.]

ABDUCTION—SEDUCTION—PROSTITUTION

Female under 16, abducting for immoral purposes.—Every person who shall take or entice away any female under the age of sixteen years, from her father, mother, guardian, or other person having the legal charge of her person, without their consent, either for the purpose of prostitution, concubinage, or marriage, shall be punished by imprisonment in the state prison not exceeding three years, or by imprisonment in a county jail not exceeding one year, or by a fine not exceeding one thousand dollars. [Ibid., sec. 15215.]

Female under 18, seduction by guardian or other person to whose care confided.—If any guardian of any female under the age of eighteen years or any other person to whose care or protection any such female shall have been confided shall defile her by carnally knowing her while she remains in his care, custody or employment he shall in any case not otherwise provided for be punished by imprisonment in the State prison for a term not exceeding ten years, or by a fine not exceeding one thousand dollars, or by both such fine and imprisonment in the discretion of the court. [Supp. of 1922, sec. 15226 (1): 1917, No. 170.]

Female of 17 or under not permitted in house of prostitution.—It shall be unlawful for any person or persons, for any purpose whatever, to take or convey to, or to employ, receive, detain, or suffer to remain in any house of prostitution, house of ill fame, bawdy-house, house of assignation, or in any house or place for the resort of prostitutes or other disorderly persons, any female of the age of 17 years or under. [Comp. Laws 1915, sec. 15516.]

Violation of above; punishment.—Any person who shall violate any of the provisions of this act shall upon conviction thereof be punished by a fine of not more than one hundred dollars or by imprisonment in the county jail not

exceeding ninety days, and in case of the non-payment of such fine when imposed, the court may make a further sentence that the offender be imprisoned in the county jail for a definite period of time not exceeding ninety days, unless said fine shall be sooner paid. [*Ibid.*, sec. 15517.]

Child under 17 (male or female) or minor student: penalty for permitting in house of prostitution.—No minor child under seventeen years of age, nor any minor who is a student in any public, private or parochial school in the state of Michigan, shall be permitted to remain in any * * * house of prostitution * * *. Any proprietor, keeper, or manager of any such place who shall permit such minor child or minor student to remain in any such place, and any person who shall encourage or induce in any way such minor child or minor student to enter such place or to remain therein shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars, or by imprisonment in the county jail not less than ten days nor more than thirty days, or both such fine and imprisonment in the discretion of the court. [*Ibid.*, sec. 7223.]

NOTES.—A child under 17 found living in house of ill fame may be adjudged by the juvenile court to be a neglected child, and one under 17 who knowingly visits or enters a house of ill repute may be adjudged to be delinquent. [Comp. Laws 1915, sec. 2011 as amended by Acts of 1923, ch. 105.]

Procuring, transporting, or otherwise trafficking in females for immoral purposes. [Comp. Laws 1915, secs. 15494-15500; and Supp. 1922, secs. 15500(1) and 15500(2).]

Employment agencies are forbidden to send any person applying for employment to a house of prostitution or immoral resort. [*Ibid.*, sec. 5421.]

MINNESOTA

Carnal knowledge or abuse; age of consent:

Female under 18, punishment for accused when such child is under 10, 10-14, 14-18.

Accused under 14, proof required.

Indecent, lewd, or lascivious conduct with child: Female child under 14, indecent assault upon.

Abduction; prostitution:

Female under 18, abducting for immoral purposes.

Boy under 18, soliciting to house of prostitution; penalty.

Boy under 18, admitting to house of prostitution or cohabiting with; penalty.

Notes—

Messenger under 18, sending to house of prostitution prohibited.

Any female, procuring or transporting for purposes of prostitution.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 18 years of age, carnal knowledge and abuse; punishment if such child is under 10, 10-14, 14-18.—Every person who shall carnally know and abuse any female child under the age of eighteen years shall be punished as follows:

1. When such child is under the age of ten years, by imprisonment in the state prison for life.

2. When such child is ten and under the age of fourteen years, by imprisonment in the state prison for not less than seven nor more than thirty years.

3. When such child is fourteen and under the age of eighteen years, by imprisonment in the state prison for not more than seven years, or by imprisonment in the county jail for not more than one year. [Gen. Stats. 1913, sec. 8656.]

Accused under 14, proof required.—No conviction for rape shall be had against one under the age of fourteen years at the time of the alleged act, unless his physical ability to accomplish penetration is proved as an independent fact, beyond a reasonable doubt. In all cases of rape any sexual penetration, however slight, is sufficient to complete the crime. [*Ibid.*, sec. 8657.]

INDECENT, LEWD, OR LASCIVIOUS CONDUCT WITH CHILD

Female child under 14, indecent assault.—Every person who shall take any indecent liberties with or on the person of any female, not a public prostitute, without her consent expressly given, and which acts do not in law amount to rape, an attempt to commit a rape, or an assault with intent to commit a rape, and every person who shall take such indecent liberties with or on the person of any female under the age of fourteen years, without regard

MINNESOTA—Continued

to whether she shall consent to the same or not, shall be guilty of a felony.⁸
[*Ibid.*, sec. 8663.]

ABDUCTION—PROSTITUTION

Female under 18, abduction.—Every person who—

1. Shall take a female under the age of eighteen years, for the purpose of prostitution or sexual intercourse, or, without the consent of her father, mother, guardian, or other person having legal charge of her person, for the purpose of marriage;

* * * * *

4. Being parent, guardian, or other person having legal charge of the person of a female under the age of eighteen years, shall consent to her taking or detention by any person for the purpose of prostitution or sexual intercourse—

Shall be guilty of abduction and punished by imprisonment in the state prison for not more than five years, or by a fine of not more than one thousand dollars, or both. But no conviction shall be had for abduction or compulsory marriage upon the unsupported testimony of the female abducted or compelled.
[*Ibid.*, sec. 8659.]

Boy under 18, penalty for soliciting such child to house of prostitution.—Any person who shall solicit any boy under the age of eighteen years to visit a house of ill fame or assignation for the purpose of prostitution or sexual intercourse, or shall direct or accompany such boy to any such house of ill fame or assignation for such purpose, or shall arrange or assist in arranging any meeting for such purpose between any boy under the age of eighteen years and any female of dissolute character or any inmate of any house of ill fame or assignation, shall be guilty of a felony, and upon conviction thereof shall be punished by imprisonment for not less than six months nor more than five years. [*Ibid.*, sec. 8664.]

Boy under 18, admitting to house of prostitution; penalty for admitting and for cohabiting with such boy.—Any keeper of any house of ill fame or assignation who shall for any unlawful purpose admit to such house any boy under the age of eighteen years, or any female inmate of any such house of ill fame or assignation who shall cohabit with any boy under the age of eighteen years, shall be guilty of a felony, and upon conviction thereof shall be punished by imprisonment for not less than eighteen months nor more than seven years. [*Ibid.*, sec. 8665.]

NOTES.—Sending a messenger under 18 years of age to any known house of prostitution is prohibited. [*Ibid.*, sec. 8682.]

Procuring or transporting any female for purposes of prostitution. [*Ibid.*, secs. 8660-8661.]

MISSISSIPPI

Carnal knowledge or abuse; age of consent:

Female child under 12; penalty.

Female between 12 and 18 (unmarried and of previous chaste character); penalty.

Assault with intent to rape any female; penalty.

Indecent, lewd, or lascivious conduct with child: Female under 13; penalty for male person over 18.

Abduction; prostitution: Female child under 14, abducting for immoral purposes.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 12 years of age, unlawful carnal knowledge; penalty.—

Every person who shall be convicted of rape, either by carnally and unlawfully knowing a female child under the age of twelve years, * * * shall suffer death, unless the jury shall fix the imprisonment in the penitentiary for life, as it may do in case of murder. In all cases where the female is under the age of twelve years it shall not be necessary to prove penetration of the female's private parts where it is shown the private parts of the female have been lacerated or torn in the attempt to have carnal knowledge of her. [Annotated Code 1917 (Hemingway's), sec. 1092 (Laws of 1908, ch. 171, sec. 1).]

⁸ The punishment for felony when not fixed by statute is imprisonment in State prison or in county jail for not more than 7 years, or fine of not more than \$1,000, or both. [Gen. Stats. 1913, sec. 8481.]

Female between 12 and 18 (unmarried and of previous chaste character), unlawful carnal knowledge.—Any male person who shall have carnal knowledge of any unmarried female person of previously chaste character younger than himself, and over twelve and under eighteen years of age, upon conviction, shall be punished either by a fine not exceeding five hundred dollars (\$500.00), or by imprisonment in the county jail not longer than six months, or by both such fine and imprisonment or by imprisonment in the penitentiary not exceeding five years; and such punishment, within said limitation, shall be fixed by the jury trying each case. [Ibid., sec. 1093 (Laws of 1914, ch. 171, sec. 1).]

Chaste character presumed; burden of proof.—In the trial of all cases under section 1, of this act, it shall be presumed that the female was previously of chaste character and the burden shall be upon the defendant to show that she was not; but no person shall be convicted upon the uncorroborated testimony of injured female. [Ibid., sec. 1094 (Laws of 1914, ch. 171, sec. 2).]

Construction of act.—This act shall not be construed as repealing or modifying section 1358 of the Code of 1906 (1092, this Code), as amended by chapter 171 of the acts of 1908, in regard to rape and carnal knowledge of females under 12 years of age. [Ibid., sec. 1095 (Laws 1914, ch. 171, sec. 3).]

Assault with intent to rape; penalty.—Every person who shall be convicted of an assault with intent to forcibly ravish any female of previous chaste character shall be punished by imprisonment in the penitentiary for life, or for such shorter time as may be fixed by the jury. [Ibid., sec. 1096.]

INDECENT, LEWD, OR LASCIVIOUS CONDUCT WITH CHILD

Female child under 18, penalty for indecent or lascivious conduct by male above 18.—Any male person above the age of eighteen years, who, for the purpose of gratifying his lust, or indulging his depraved licentious sexual desires, shall handle, touch or rub with hands or any part of his body or any member thereof any female child under the age of thirteen years, with or without her consent, shall be guilty of a high crime and upon conviction thereof, shall be fined in any sum not less than ten dollars nor more than one thousand dollars, or be imprisoned in the state penitentiary not less than one year nor more than ten years, or be punished by both such fine and imprisonment, at the discretion of the court. [Ibid., Supp. of 1921, ch. 1142c (Laws of 1920, ch. 215, sec. 1).]

Construction of above.—That this act is not intended to repeal any existing law on this subject, but is intended to be cumulative and an additional statute for the better protection of female children against lustful male persons. [Ibid., Supp. of 1921, sec. 1142d (Laws of 1920, ch. 215, sec. 2).]

ABDUCTION—PROSTITUTION

Female child under 14, abducting for immoral purposes.—Every person who shall maliciously, wilfully, or fraudulently lead, take, carry away, decoy or entice away, any child under the age of fourteen years, with intent to detain or conceal such child from its parents, guardian, or other person having lawful charge of such child, or for the purpose of prostitution, concubinage, or marriage, shall, on conviction, be imprisoned in the penitentiary not exceeding ten years, or imprisoned in the county jail not more than one year, or fined not more than one thousand dollars, or both. [Ibid., sec. 806.]

MISSOURI

Carnal knowledge or abuse; age of consent:

Female child under 16; penalty.

Female between 16 and 18 (unmarried and of previous chaste character); accused over 18; penalty.

Abduction; seduction; prostitution:

Female under 18, abduction for purpose of prostitution.

Female under 21, seduction under promise of marriage.

Female under 18, seduction by guardian.

Female under 18, penalty for permitting in bawdy house.

Notes—

Child under 17 in certain counties, or 18 in other counties found living in or knowingly entering house of ill fame, jurisdiction of juvenile court.

Females, traffic in for immoral purposes.

MISSOURI—Continued

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 16 years of age, unlawful carnal knowledge; penalty.—Every person who shall be convicted of rape, either by carnally and unlawfully knowing any female child under the age of sixteen years, * * * shall suffer death, or be punished by imprisonment in the penitentiary for not less than two years, in the discretion of the jury. [Rev. Stats. 1919, sec. 3247 as amended by Laws of 1921, p. 284a.]

Female between 16 and 18 years of age (unmarried and previously chaste), unlawful carnal knowledge by person over 16; penalty.—If any person over the age of sixteen years shall have carnal knowledge of any unmarried female, of previously chaste character, between the ages of sixteen and eighteen years, he shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment in the penitentiary for a term of two (2) years, or by a fine of not less than one hundred (100) dollars nor more than five hundred (500) dollars, or by imprisonment in the county jail not less than one (1) month or more than six (6) months, or by both such fine and imprisonment, in the discretion of the court. [Ibid., sec. 3248 as amended by Laws of 1921, p. 284a.]

ABDUCTION—SEDUCTION—PROSTITUTION

Female under 18, abduction.—Every person who shall take away any female under the age of eighteen years from her father, mother, guardian or other person having legal charge of her person, either for the purpose of prostitution or concubinage, and any father, mother, guardian or other person, having the legal charge of her person, who shall consent to the same, shall, upon conviction thereof, be punished by imprisonment in the penitentiary not exceeding five years. [Ibid., sec. 3257.]

Female under 21, seduction under promise of marriage.—If any person shall, under or by promise of marriage, seduce or debauch any unmarried female of good repute under twenty-one years of age, he shall be deemed guilty of a felony, and upon conviction thereof be punished by imprisonment in the penitentiary not less than two nor more than five years, or by fine not exceeding one thousand dollars, and imprisonment in the county jail not exceeding one year; but, if, before the jury is sworn to try the defendant upon an indictment or information, he shall marry the woman thus seduced, it shall be a bar to any further prosecution of the offense, but an offer to marry the female seduced by the party charged shall constitute no defense to such prosecution; and in all cases where the defendant marries the woman seduced the cause shall be dismissed at the defendant's cost, and in no event shall the State or county be adjudged to pay, or pay, any cost made or incurred by the defendant when said cause has been dismissed as aforesaid [Ibid., sec. 3259.]

Female under 18, seduction by guardian.—If any guardian of any female under the age of eighteen years, or any other person to whose care or protection any such female shall have been confided, shall defile her, by carnally knowing her, while she remain in his care, custody or employment, he shall, in cases not otherwise provided for, be punished by imprisonment in the penitentiary not exceeding five years, or by imprisonment in the county jail not exceeding one year and a fine not less than one hundred dollars. [Ibid., sec. 3260.]

Female under 18; penalty for permitting in bawdy house.—Every keeper or person in charge of any house or building at such time ordinarily used as a common assignation house, or common bawdy house, who shall permit any female under the age of eighteen years to enter into or remain in said assignation house or bawdy house, shall be adjudged guilty of a felony, and punished by imprisonment in the penitentiary for a term of not less than two years nor more than ten years. [Ibid., sec. 3546.]

NOTES.—Under the juvenile court law applying to counties having a population of 50,000 or more, the term "neglected child" includes one under 18 years of age found living in a house of ill fame, and the term "delinquent child" includes one of the same age who knowingly visits or enters a house of ill repute, while in counties of less than 50,000 these provisions apply to a child under 17. [Ibid., sec. 2591 as amended by Laws of 1923, p. 153, sec. 1135.]

Procuring, enticing, transporting, or otherwise trafficking in females for immoral purposes. [Ibid., sec. 3251-3258.]

MONTANA

Carnal knowledge or abuse; age of consent:

Female under 18.

Accused under 16, proof required.

Essential element of the crime.

Penalty.

Indecent, lewd, or lascivious conduct with child: Child under 16 (male or female); accused over 18; penalty.

Prostitution: Minor (male or female), admission to house of prostitution prohibited.

Notes—

Child under 16 found living in house of prostitution; child under 18 knowingly visiting house of prostitution; jurisdiction of juvenile court.

Women and girls, traffic in for immoral purposes.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 18 years of age, unlawful sexual intercourse.—Rape is an act of sexual intercourse, accomplished with a female, not the wife of the perpetrator, under any of the following circumstances:

1. When the female is under the age of eighteen. * * * [Rev. Code 1921, sec. 11000.]

Accused under 16; proof required.—No conviction for rape can be had against one who was under the age of sixteen years at the time of the act alleged, unless his physical ability to accomplish penetration is proved as an independent fact, and beyond a reasonable doubt. [Ibid., sec. 11001.]

Essential element of the crime.—The essential guilt of rape consists in the outrage to the person and feelings of the female. Any sexual penetration, however slight, is sufficient to complete the crime. [Ibid., sec. 11002.]

Punishment.—Rape is punishable by imprisonment in the state prison not less than two nor more than ninety-nine years. [Ibid., sec. 11003.]

INDECENT, LEWD, OR LASCIVIOUS CONDUCT WITH CHILD

Child under 16 (male or female); penalty for any person over 18 years of age taking indecent liberties.—Any person over the age of eighteen years, who shall wilfully and lewdly commit any lewd or lascivious act, other than the acts constituting other crimes provided in Part I, Title IX, of the Revised Codes of Montana of 1907 [crimes against the person and against public decency and good morals], upon or with the body or any part or member thereof, of a child under the age of sixteen years, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of such person, or of such child, shall be guilty of a felony, and shall be imprisoned in the state prison not exceeding five years. [Ibid., sec. 11005.]

PROSTITUTION

Admission of minor to place of prostitution.—Any proprietor, keeper, manager, conductor, or person having the control of any house of prostitution, or any house or room resorted to for the purpose of prostitution, who shall admit or keep any minor of either sex therein, or any parent or guardian of any such minor who shall admit or keep such minor, or sanction or connive at the admission or keeping thereof into or in any such house or room shall be guilty of a misdemeanor. [Ibid., sec. 11046.]

NOTES.—The terms "dependent child" and "neglected child" as defined in the juvenile court law include one under 16 found living in house of ill fame or house of prostitution. [Ibid., sec. 10465.]

The term "delinquent child" includes one under 18 who knowingly visits house of prostitution. [Ibid., sec. 12275.]

Traffic in women and girls, importation, exportation, procuring, and so forth, for immoral purposes. [Ibid., secs. 11008-11016.]

NEBRASKA

Carnal knowledge or abuse; age of consent:

Female under 18 (except one over 15 and previously unchaste); accused 18 or more; penalty.

Abduction; prostitution:

Female under 18, enticing to or compelling illicit intercourse.

Girl under 18, boy under 21, harboring in house of prostitution; penalty.

Notes—

Child under 18 found living in or knowingly visiting house of ill fame, jurisdiction of juvenile court.

Females, employment agencies forbidden to send to house of prostitution.

Females, procuring for immoral purposes.

Debauching minor: Boy under 21, debauching or depraving morals; penalty for guilty person (male or female),

NEBRASKA—Continued

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 18 (except one over 15 and previously unchaste), carnal knowledge and abuse; accused 18 or more; penalty.—* * *. If any male person, of the age of eighteen years or upwards, shall carnally know or abuse any female child under the age of eighteen years, with her consent, unless such female child so known and abused is over fifteen years of age and previously unchaste, shall be deemed guilty of a rape, and shall be imprisoned in the penitentiary not more than twenty nor less than three years. [Comp. Stats. 1922, sec. 9551.]

ABDUCTION—PROSTITUTION

Female under 18, penalty for enticing to or compelling illicit intercourse.—Whoever induces, decoys, entices, hires, engages, employs, or compels any female under eighteen years of age; or causes by compulsion or otherwise, any female over eighteen years of age, against her will, to have illicit carnal intercourse with any person other than the person so inducing, decoying, enticing, hiring, engaging, employing or causing such female to have such illicit carnal intercourse; or whoever knowingly permits or allows any other person to have illicit intercourse with any female of good repute for chastity, at the house, residence or upon the premises owned or controlled by such person or persons, shall be imprisoned in the penitentiary for not more than five years. [Ibid., sec. 9785.]

Girl under 18, boy under 21, penalty for harboring in house of ill fame.—It shall be unlawful for any person or persons to allow, keep, maintain or harbor any girl under eighteen years of age, or any boy under twenty-one years of age in any house of ill fame or any house of bad repute; and any person found guilty of violating any of the provisions of this article shall be deemed guilty of a misdemeanor and, on conviction thereof, shall be fined in any sum not exceeding one hundred dollars, nor less than twenty-five dollars, or be imprisoned in the county jail not more than thirty days, and shall stand committed until such fine and costs are paid. [Ibid., sec. 9789.]

NOTES.—The terms "dependent child" and "neglected child" as defined in the juvenile court law include one under 18 found living in house of ill fame; the term "delinquent child" includes one under 18 who knowingly visits or enters a house of ill repute. [Ibid., sec. 1173.]

Employment agencies are forbidden to send female help or servant to place of bad repute or house of prostitution. [Ibid., sec. 7737.]

Procuring any female for immoral purposes. [Ibid., secs. 9764-9766.]

DEBAUCHING MINOR (MALE)

Boy under 21, penalty for person debauching.—Whoever shall debauch the person or deprave the morals of any boy under the age of twenty-one years, either by lewdly inducing such boy carnally to know any female person, or by indecent bodily contact with the person of any such boy communicate to him any venereal or other loathsome disease; or whoever shall solicit any such boy to visit a house of prostitution or other place where prostitution, debauchery, or other immoral practices are permitted or encouraged, for the purpose of prostitution, sexual intercourse, or other immoral practices; or whoever shall direct or accompany any such boy to any such place for such purpose or purposes; or whoever shall arrange or aid or assist in arranging any meeting for such purpose between any such boy and any female of dissolute character or any inmate of any place where prostitution, debauchery, or other immoral practices are permitted or encouraged; or whoever shall arrange or aid or assist in arranging any meeting between any such boy and any female person for the purpose of sexual intercourse, or other immoral practice shall be deemed guilty of a felony and upon conviction thereof shall be imprisoned in the penitentiary for not less than one nor more than ten years. [Ibid., sec. 9787.]

NEVADA

Carnal knowledge or abuse; age of consent: Female under 18, carnal knowledge by male person 16 or more; penalty.

Prostitution:

Female under 18, permitting to be used for purposes of prostitution; person under 21, penalty for enticing to prostitution.

Notes—

Child under 18 found living in house of ill fame, jurisdiction of juvenile court. Child under 18 may not be employed as messenger to house of prostitution. Females, traffic in for immoral purposes.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 18, carnal knowledge by person 16 or more; penalty.—Rape is the carnal knowledge of a female, forcibly and against her will, and a person duly convicted thereof shall be punished by imprisonment in the state prison for a term of not less than five years and which may extend to life; provided, that if such crime be accompanied with acts of extreme violence and great bodily injury inflicted, the person guilty thereof shall be punished by imprisonment in the state prison for a term not less than twenty years, or he shall suffer death, if the jury by their verdict affix the death penalty. And any person of the age of sixteen years or upwards who shall have carnal knowledge of any female child under the age of eighteen years, either with or without her consent, shall be adjudged guilty of the crime of rape and punished as before provided. [Rev. Laws 1919, sec. 6442, p. 3379.]

PROSTITUTION

Female under 18, penalty for person having legal charge to permit her being taken for purpose of prostitution; person under 21, penalty for enticing to house of prostitution.—Every person who—

* * * * *

4. Being the husband of any woman, or the parent, guardian or other person having legal charge of the person of a female under the age of eighteen years, shall connive at, consent to, or permit her being or remaining in any house of prostitution or leading a life of prostitution; or

* * * * *

7. Shall decoy, entice, procure or in any manner or way to induce any person, under the age of twenty-one years, to go into or visit, upon any pretext or for any purpose whatever, any house of ill fame or prostitution, or any room or place inhabited or frequented by any prostitute, or used for purposes of prostitution;

Shall be punished by imprisonment in the state prison for not more than five years or by fine of not more than two thousand dollars. [Rev. Laws 1912, sec. 6445.]

NOTES.—Under the juvenile court law the terms “dependent child” and “neglected child” include one under 18 found living in house of ill fame. [Rev. Laws 1912, sec. 728.]

Child under 18 may not be employed as messenger to deliver letters, packages, etc., to house of prostitution. [Rev. Laws 1912, sec. 6823.]

Soliciting, procuring, transporting, etc., any female for purpose of prostitution. [Rev. Laws 1919, pp. 3379-3381 (Laws of 1913, ch. 109, p. 135, and ch. 356).]

NEW HAMPSHIRE

Carnal knowledge or abuse; age of consent: Female child under 16; penalty.

Abduction; prostitution:

Female under 18, abducting for immoral purposes.

Notes.—Child under 17 found living in or frequenting house of ill fame, jurisdiction of juvenile court.

Females, securing for immoral purposes.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 16, unlawful carnal knowledge; penalty.—If any man shall unlawfully and carnally know and abuse any woman child under the age of sixteen years he shall be imprisoned not exceeding thirty years. [Public Statutes 1901, ch. 278, sec. 15.]

ABDUCTION—PROSTITUTION

Female child under 18, abducting for purposes of prostitution or illicit intercourse.—If any person shall wilfully and deceitfully entice or carry away a female child under the age of eighteen years, with the intent or for the purpose of prostitution or illicit sexual intercourse, he shall be imprisoned not exceeding three years or be fined not exceeding five thousand dollars. [Ibid., ch. 272, sec. 8, p. 822.]

NOTES.—The term “dependent child” includes one under 17 found living in house of ill fame; the term “delinquent child” includes one under 17 who knowingly frequents house of ill fame. [Ibid., Supp. of 1913, p. 153 (Laws of 1907, ch. 125, sec. 1).]

For provisions regarding punishment for pandering, see Laws of 1915, ch. 37; Laws of 1919, ch. 163 (an act to prohibit prostitution).

NEW JERSEY

Carnal knowledge or abuse; age of consent:

Female child under 16, assault with intent to carnally abuse; penalty.

Female child under 12, or 12-16, carnal abuse; accused 16 or over; penalty.

Abduction; seduction; prostitution:

Female under 18 (unmarried), abducting for immoral purposes; carnal abuse with or without consent; penalty.

Notes—

Women and girls, traffic in for immoral purposes.

Females, employment agencies forbidden to send to house of ill fame.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 16, assault with intent to rape or carnally abuse; penalty.—Any person who shall commit an assault with intent to commit * * * rape, * * * or sodomy, or to carnally abuse a woman child under the age of sixteen, with or without her consent, shall be guilty of a high misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding three thousand dollars; or by imprisonment at hard labor not exceeding twelve years, or both; * * *. [Comp. Stats. 1910, vol. 2, pp. 1782-1783 (Crimes), sec. 113.]

Female child under 12, between 12 and 16, unlawful carnal abuse; accused 16 or over; penalty.—Any person * * * who, being of the age of sixteen or over, shall unlawfully and carnally abuse a woman-child under the age of twelve years, with or without her consent, shall be guilty of a high misdemeanor, and punished by a fine not exceeding \$5,000 or imprisonment at hard labor not exceeding thirty years, or both, or who, being of the age of sixteen or over, shall unlawfully and carnally abuse a woman-child over the age of twelve years and under the age of sixteen years, with or without her consent, shall be guilty of a high misdemeanor, and punished by a fine not exceeding two thousand dollars, or imprisonment at hard labor not exceeding fifteen years, or both. [Ibid., sec. 115.]

ABDUCTION—SEDUCTION—PROSTITUTION

Female under 18, abducting for immoral purposes; carnal abuse with or without consent; penalty.—Any person who shall convey or take away any woman-child, unmarried, whether legitimate or illegitimate, under the age of eighteen years, out or from the possession, custody or governance, and against the will of the father, mother or guardian of such woman-child, though with her own consent, with an intent to contract matrimony with her, or with an intent to carnally abuse her, or to use her for immoral purposes, or to cause or procure her to be carnally abused by another, or to be used for immoral purposes by another, his aiders and abettors, shall be guilty of a misdemeanor; and if he contracts matrimony with her, without the consent of her father, mother or guardian, he shall be guilty of a high misdemeanor; and every such marriage shall be void; and any person who shall permit, suffer or procure any woman-child under the age of eighteen years, whether single or married, with or without her consent, to be carnally abused by another or to be used for immoral purposes by another, in any house, room, or place, public or private, kept by or under the control or management of such person, shall be guilty of a high misdemeanor. [Ibid., sec. 117 as amended by Laws of 1921, ch. 22.]

NOTES.—Procuring, transporting, or otherwise trafficking in women and girls for immoral purposes. [Ibid., vol. 2, pp. 1760-1761, secs. 47a-47g, as amended by Laws of 1922, p. 419.]

Employment agencies forbidden to send females as servants, or inmates of house of ill fame or bad repute. [Ibid., p. 2205, sec. 6.]

NEW MEXICO

Carnal knowledge or abuse; age of consent:

Female child under 16; penalty.

Accused under 14, proof required.

Female child under 14; penalty.

Abduction; seduction; prostitution:

Female child under 14, abducting for immoral purposes.

Female under 20, enticing to house of prostitution.

Female under 21, seduction under promise of marriage.

Female student under 18, seduction by teacher.

Minor female, abducting for evil purposes; penalty.

Note—Child under 16 knowingly visiting house of prostitution, jurisdiction of juvenile court.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 16, sexual intercourse with; penalty.—A person perpetrating rape upon or an act of sexual intercourse with a female when the female is under the age of sixteen years, * * * is punishable by imprisonment for not less than one nor more than ninety-nine years. [Stats. 1915, sec. 1493 as amended by Laws of 1923, ch. 110.]

Accused under 14, proof required.—No conviction for rape can be had against one who was under the age of fourteen years at the time of the act alleged, unless his physical ability to accomplish penetration is proved as an independent fact beyond a reasonable doubt. [Ibid., sec. 1494.]

Female child under 10 years of age, unlawful carnal abuse; penalty.—If any person shall unlawfully and carnally know and abuse any female child under the age of ten years, he shall be punished by imprisonment in the State penitentiary for life. [Ibid., sec. 1495.]

ABDUCTION—SEDUCTION—PROSTITUTION

Female child under 14, abducting for immoral purposes; under 20, enticing to house of prostitution.—Any person who takes a female under the age of fourteen years for the purpose of prostitution or sexual intercourse, or without the consent of her father, mother, guardian or other person having legal charge of her person, for the purpose of marriage, or inveigles or entices an unmarried female over fourteen years and under twenty years of age, of chaste character, into a house of ill fame or of assignation, for the purpose of prostitution or sexual intercourse, or takes or detains a female unlawfully against her will with the intent to compel her, by force, menace, or duress, to marry him, or to marry any other person, or to be defiled, is guilty of abduction and punishable by imprisonment for not more than five years or by a fine of not less than one thousand dollars, or by both. [Ibid., sec. 1497.]

Same, bar to prosecution.—The subsequent intermarriage of the parties, or the lapse of two years after the commission of the offense, before the finding of an indictment, is a bar to a prosecution for the violation of the last section. [Ibid., sec. 1498.]

Female under 21, seduction under promise of marriage.—Every person who under any promise of marriage shall induce any unmarried female of previous good repute for chastity, under the age of twenty-one years, to permit him to have sexual intercourse with her, and does have sexual intercourse with such female, shall be deemed guilty of seduction, and on conviction thereof shall be punished by imprisonment in the State penitentiary for not more than three years nor less than one year, or by a fine of not more than three thousand dollars nor less than one thousand dollars, or by both such fine and imprisonment in the discretion of the court, unless the accused shall before trial for the offense have married or in good faith offered to marry such female, and such offer has been by her rejected. [Ibid., sec. 1499.]

Female student under 18, seduction by teacher.—Any person who, while engaged or acting in the capacity of superintendent, tutor or teacher in any private or public school in this State shall, with her consent, have sexual intercourse with any female student in any such private or public school, who is under the age of eighteen years, while such female student is under his direction or instruction in any such school, or any tutor, teacher or instructor of any female person, under the age aforesaid, who shall in the manner aforesaid have sexual intercourse with any such female person while under his instruction shall, upon conviction thereof, be punished by imprisonment in the State penitentiary for not less than one year nor more than five years. [Ibid., sec. 1500.]

Minor female, abducting for evil purposes.—Any person or persons who shall entice away and seduce or carry off any woman, who may be a minor under the care of her parents, relations or guardian; such persons who shall so do, or shall have them in their possession for evil purposes, upon complaint of any person, shall be fined in any sum not exceeding one hundred dollars, nor less than eighty, or with imprisonment for any term not exceeding one year, nor less than eight months. [Ibid., sec. 1501.]

Penalty for member of family aiding in such abduction.—Any father, or mother, or guardian, who shall surrender up in bad faith, any woman under their charge, on complaint being made thereof, shall be punished as prescribed in the preceding section. [Ibid., sec. 1502.]

NOTE.—The term "juvenile delinquent" as defined in the juvenile court law includes a child under the age of 16 who knowingly visits or enters a house of prostitution. [Laws of 1917, ch. 4, sec. 1.]

NEW YORK

Carnal knowledge or abuse; age of consent:

Female under 18, unlawful sexual intercourse; penalty.

Essential element of the crime.

Accused under 14, proof required.

No conviction on unsupported testimony.

Abduction; prostitution:

Female under 18, abducting for immoral purposes.

Notes—

Child under 16, parent or person having care permitting to enter house of prostitution may be found guilty of contributing to delinquency of child.

Child under 16, frequenting reputed house of prostitution, jurisdiction of children's courts.

Female between 16 and 21 found of her own free will and knowledge in a house of prostitution deemed a "wayward" minor.

Messenger boy, unlawful to send to disorderly house.

Female servant or employee, employment agency may not send to place of bad repute.

Traffic in women and girls for immoral purposes.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female under 18 years of age, unlawful sexual intercourse; penalty.—A person who perpetrates an act of sexual intercourse with a female not his wife, against her will or without her consent; or,

1. When through idiocy, imbecility or unsoundness of mind, either temporary or permanent, she is incapable of giving consent, or by reason of mental or physical weakness, or immaturity, or any bodily ailment, she does not offer resistance; or,

2. When her resistance is forcibly overcome; or,

3. When her resistance is prevented by fear of immediate and great bodily harm, which she has reasonable cause to believe will be inflicted upon her; or

4. When her resistance is prevented by stupor, or a weakness of mind produced by intoxicating, or narcotic, or anaesthetic agent; or, when she is known by the defendant to be in such state of stupor or weakness of mind from any cause; or,

5. When she is, at the time, unconscious of the nature of the act, and this is known to the defendant; or when she is in the custody of the law, or of any officer thereof, or in any place of lawful detention, temporary or permanent.

Is guilty of rape in the first degree and punishable by imprisonment for not more than twenty years.

A person who perpetrates an act of sexual intercourse with a female, not his wife, under the age of eighteen years, under circumstances not amounting to rape in the first degree, is guilty of rape in the second degree, and punishable with imprisonment for not more than ten years. [Consolidated Laws, ch. 40 (Penal Law), sec. 2010.]

Essential element of the crime.—Any sexual penetration, however slight, is sufficient to complete the crime. [Ibid., sec. 2011.]

Accused under 14 years of age, proof required.—No conviction for rape can be had against one who was under the age of fourteen years, at the time of the act alleged, unless his physical ability to accomplish penetration is proved as an independent fact, beyond a reasonable doubt. [Ibid., sec. 2012.]

No conviction on unsupported testimony.—No conviction can be had for rape or defilement upon the testimony of the female defiled, unsupported by other evidence. [Ibid., sec. 2013.]

ABDUCTION—PROSTITUTION

Female under 18, abducting for immoral purposes.—A person who:

1. Takes, receives, employs, harbors or uses, or causes or procures to be taken, received, employed or harbored or used, a female under the age of eighteen years, for the purpose of prostitution; or, not being her husband, for the purpose of sexual intercourse; or, without the consent of her father, mother, guardian or other person having legal charge of her person, for the purpose of marriage; or,

* * * * *

4. Being parent, guardian or other person having legal charge of the person of a female under the age of eighteen years, consents to her taking or detaining by any person for the purpose of prostitution or a sexual intercourse;

Is guilty of abduction and punishable by imprisonment for not more than ten years, or by a fine of not more than one thousand dollars, or by both. [*Ibid.*, sec. 70.]

NOTES.—Parent or other custodian of a child under 16 years of age who permits such child to enter house of prostitution may be found guilty of contributing to the delinquency of such child. [Penal Law, sec. 494.]

A child under 16 frequenting reputed house of prostitution or living in such a house without parent or guardian may be brought before the court hearing children's cases as a destitute child. [*Ibid.*, sec. 486.]

Female between 16 and 21 found of her own free will and knowledge in house of prostitution or habitually associating with prostitutes or procurers may be adjudged by any magistrate, other than justice of the peace, to be a wayward minor. [Criminal Code, sec. 913-a to 913-d added by Laws of 1923, ch. 868 and amended by Laws of 1924, ch. 389.]

To knowingly send a messenger boy to a disorderly house constitutes a misdemeanor. [Penal Law, sec. 488.]

Employment agency may not send or cause to be sent any female as a servant, employee, inmate, entertainer, or performer, or any male as an employee or entertainer to any place of bad repute, house of ill fame or assignation. [Gen. Business Law, sec. 190 as amended by Laws of 1910, ch. 700.]

Importation, exportation, or other traffic in women and girls for immoral purposes. [Penal Law, sec. 2460.]

NORTH CAROLINA

Carnal knowledge or abuse; age of consent:

Female child under 12; penalty.

Assault with intent to commit rape; penalty.

Essential element of the crime.

Female child between 12 and 16 (previously chaste); penalty.

Male child under 16; penalty.

Offenders under 16 classed as delinquents and subject to jurisdiction of juvenile court; male offender under 18 guilty of misdemeanor only.

Prostitution:

Female under 18 (unmarried), permitted to be in house of prostitution; penalty.

Notes—

Child under 16 permitted to enter house of prostitution, provisions of juvenile-court law.

Any person transporting, procuring, or soliciting for purposes of prostitution.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 12 years of age, unlawful carnal knowledge and abuse; penalty.—Every person who is convicted of ravishing and carnally knowing any female of the age of twelve years or more by force and against her will, or who is convicted of unlawfully and carnally knowing and abusing any female child under the age of twelve years, shall suffer death. [Consolidated Stats. 1919, sec. 4204.]

Assault with intent to commit rape; penalty.—Every person convicted of an assault with intent to commit a rape upon the body of any female shall be imprisoned in the state's prison not less than one nor more than fifteen years. [*Ibid.*, sec. 4205.]

Essential element of the crime.—It shall not be necessary upon the trial of any indictment for the offenses of rape, carnally knowing and abusing any female child under twelve years old, and buggery, to prove the actual emission of seed in order to constitute the offense, but the offense shall be completed upon proof of penetration only. [*Ibid.*, sec. 4206.]

Child under 16 (male or female). Carnal knowledge or abuse of female child between 12 and 16 (previously chaste); penalty. Carnal knowledge of male child under 16; penalty.—If any male person shall carnally know or abuse any female child, over twelve and under sixteen years of age, who has never before had sexual intercourse with any person, he shall be guilty of a felony and shall be fined or imprisoned in the discretion of the court; and any female person who shall carnally know any male child under the age of sixteen years shall be guilty of a misdemeanor and shall be fined or imprisoned in the discretion of the court: Provided, that if the offenders shall be married or shall thereafter marry, such marriage shall be a bar to further prosecution. [*Ibid.*, sec. 4209 as amended by Laws of 1923, ch. 140.]

Offenders under 16 classed as delinquents and subject to jurisdiction of juvenile court; male offender under 18 guilty of misdemeanor only.—All persons charged with a violation of this act under the age of sixteen years shall be subject to the jurisdiction of the juvenile court and such other courts as may hereafter exercise such jurisdiction, and shall be classed as delinquents and not as felons: Provided, that where the offenders agree to marry, the consent of the parents shall not be necessary: Provided further, that any male

NORTH CAROLINA—Continued

person convicted of the violation of this act, who is under eighteen (18) years of age, shall be guilty of a misdemeanor only. [Public Laws of 1923, ch. 140, sec. 2.]

PROSTITUTION

Female under 18 (unmarried), permitted to be in house of prostitution; penalty.—Whoever, being the keeper of a house of prostitution, or assignation house, building or premises in this state where prostitution, fornication, or concubinage is allowed or practiced, shall suffer or permit any unmarried female under the age of eighteen years to live, board, stop, or room in such house, building or premises, shall be guilty of a misdemeanor. [Consolidated Stats. 1919, sec. 4346.]

NOTES.—Under the provisions of the juvenile court law any parent, guardian, or other person having custody of a child under 16 years of age who permits such child to enter a house of prostitution may be found guilty of a misdemeanor. [Ibid., sec. 5057.] It is unlawful to transport, procure, or solicit any person for purposes of prostitution. [Ibid., secs. 4357–4363.]

NORTH DAKOTA

Carnal knowledge or abuse; age of consent:

- Female under 18 years of age.
- Accused under 14, proof required.
- Essential element of the crime.
- Punishment according to degree of offense.

Abduction; seduction; prostitution:

- Female under 18, abduction for immoral purposes.
- Female under 20, seduction under promise of marriage.
- Female ward, seduction by guardian.

Note—Child under 18 found living in or knowingly frequenting house of ill repute, jurisdiction of juvenile court.

Indecent, lewd, or lascivious conduct with child: Any child; penalty for person taking indecent liberties.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female under 18 years of age, unlawful sexual intercourse.—Rape is an act of sexual intercourse, accomplished with a female not the wife of the perpetrator, under either of the following circumstances:

1. When the female is under the age of eighteen years.
2. When she is incapable, through lunacy or any other unsoundness of mind, whether temporary or permanent, of giving legal consent.
3. When she resists, but her resistance is overcome by force or violence.
4. When she is prevented from resisting, by threats of immediate and great bodily harm, accompanied by apparent power of execution.
5. When she is prevented from resisting by an intoxicating, narcotic or anesthetic agent, administered by or with the privy of the accused.
6. When she is at the time unconscious of the nature of the act, and this is known to the accused.
7. When she submits under the belief that the person committing the act is her husband, and this belief is induced by artifice, pretense or concealment practiced by the accused, with intent to induce such belief. [Comp. Laws of 1913, sec. 9563.]

Accused under 14 years of age, proof required.—No conviction for rape can be had against one who was under the age of fourteen years at the time of the act alleged, unless his physical ability to accomplish penetration is proved as an independent fact and beyond a reasonable doubt. [Ibid., sec. 9564.]

Essential element of the crime.—The essential guilt of rape consists in the outrage to the person and feelings of the female. Any sexual penetration, however slight, is sufficient to complete the crime. [Ibid., sec. 9565.]

Punishment according to degree of offense: Female under 18, accused 24 or more (or 20–24 and consent lacking), 1st degree; male 20 to 24 (or 17–20 and consent lacking), 2nd degree.—Rape is rape in the first degree:

1. In all cases in which the person committing the offense is twenty-four years of age, or over, at the time of the commission of the offense, and,
2. In all cases in which the offense is committed under the conditions described in sub-divisions 2, 3, 4, 5, 6 and 7 of section 9563, or either of them, and in which the person committing the offense is twenty years of age, or over, at the time of the commission of the offense.

Rape is rape in the second degree:

1. In all cases in which the offense is committed under the conditions described in sub-divisions 2, 3, 4, 5, 6 and 7, of section 9563, or either of them,

and in which the person committing the offense is seventeen years of age and under twenty years of age at the time of the commission of the offense; and

2. In all other cases in which the person committing the offense is twenty years of age and under twenty-four years of age and the female is under eighteen years of age at the time of the commission of the offense.

Rape in the first degree shall be punished by imprisonment in the State penitentiary for not less than one year. Rape in the second degree shall be punished by imprisonment in the State penitentiary for not less than 1 year, or, in case the defendant is a minor, either by imprisonment in the State penitentiary for not less than one year or by commitment to the State reform school for not less than one year in the discretion of the court. [*Ibid.*, sec. 9566 as amended by Laws of 1915, ch. 201, p. 305.]

Female under 18, male under 20, apparent consent, constitutes rape in the 3d degree; punishment.—Rape if committed by a person under twenty years of age at the time of the commission of the act and under the conditions described in sub-divisions 2, 3, 4, 5, 6, and 7 of section 9563, or either of them, or in other cases with the apparent consent of the female, and she is under the age of eighteen years, is rape in the third degree and any person found guilty thereof shall be punished by confinement in the reform school for a term of not less than one, nor more than three years, in the discretion of the court. [*Ibid.*, sec. 9567 as amended by Laws of 1917, ch. 193, p. 260.]

ABDUCTION—SEDUCTION—PROSTITUTION

Female under 18, abducting for immoral purposes.—Every person who takes away any female under the age of eighteen years, from her father, mother, guardian or other person having the legal charge of her person, without the consent of such father, mother, guardian or other person having the legal charge of her person, or any friendless female under the age of eighteen years, either for the purpose of concubinage or prostitution, is punishable by imprisonment in the penitentiary not less than one and not exceeding five years, or in the county jail not exceeding one year, or by fine not exceeding one thousand dollars, or by both. [*Ibid.*, sec. 9574.]

Female under 20, seduction under promise of marriage.—Every male person over twenty-one years of age, who, under promise of marriage, seduces and has illicit connection with an unmarried female under twenty years of age and of previously chaste character, is punishable by imprisonment in the penitentiary not less than one and not exceeding five years, or by imprisonment in the county jail not exceeding one year, or by a fine not exceeding one thousand dollars, or by both. [*Ibid.*, sec. 9575.]

Female ward, seduction by guardian or person charged with care.—Every male person who, when a guardian or a minor, or when a county commissioner, or when a warden, superintendent, supervising official, guard, attendant, watchman or other employee in any penal, correctional or eleemosynary institution in this state, induces a female, who is a ward, or pauper under his care, or who is an inmate in the institution in which he is employed, or who is in a position where she receives the necessities of life through or from him, or upon his recommendation, to have illicit sexual intercourse with him by threatening to withhold from her, or a member of her family, the necessities of life, or by threatening her, or a member of her family, with physical violence, is guilty of a felony. [*Ibid.*, sec. 9577.]

Penalty.—Any person convicted of a felony under section 9577 shall be punished by imprisonment in the State penitentiary for a term of not less than one year, and not more than fifteen years. [*Ibid.*, sec. 9578.]

NOTE.—The terms "dependent child" and "neglected child" as defined in the juvenile-court law include one under the age of 18 found living in house of ill fame; and the term "delinquent child" includes one under 18 years of age who knowingly frequents house of ill repute. [*Ibid.*, sec. 11403.]

INDECENT, LEWD, OR LASCIVIOUS CONDUCT WITH CHILD

Any child; penalty for person taking indecent liberties.—Every person who shall take any indecent liberty with or on the person of any child, which act under law does not amount to rape, or attempt to commit rape, or assault, with intent to commit rape, or sodomy, or other crime against nature, shall be guilty of a felony and shall be punished by imprisonment in the penitentiary not less than one year nor more than two years. [Laws of 1923, ch. 167.]

OHIO

Carnal knowledge or abuse; age of consent:

Female child under 12 years of age, carnal knowledge forcibly and against her will; penalty.

Female child under 16, carnal knowledge and abuse; accused 18 or more years of age; penalty. Attempt: penalty.

Lewd, immoral, or lascivious conduct with child:

Female child under 14, penalty for male person over 18 taking indecent and improper liberties.

Abduction; seduction; prostitution:

Female under 18, seduction under promise of marriage.

Female under 18, enticing to or procuring for illicit intercourse.

Female under 18, enticing to or harboring in house of prostitution.

Female pupil, seduction by teacher.

Notes—

Child between 4 and 16, harbored in house of ill fame.

Child under 18 found in, reared or kept in, or knowingly visiting house of ill fame, jurisdiction of court hearing children's cases.

Females, traffic in for immoral purposes.

Employment agencies forbidden to send any applicant for employment to house of prostitution or of ill repute.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 12 years of age, carnal knowledge forcibly and against her will; penalty.—Whoever has carnal knowledge of his daughter, sister or a female person under twelve years of age, forcibly and against her will, shall be imprisoned in the penitentiary during life; and whoever has carnal knowledge of any other female person forcibly and against her will shall be imprisoned in the penitentiary not less than three years nor more than twenty years. [Gen. Code, sec. 12413.]

Female under 16, carnal knowledge and abuse; accused 18 or more years of age; penalty.—Whoever, being eighteen years of age, carnally knows and abuses a female person under the age of sixteen years with her consent shall be imprisoned in the penitentiary not less than one year nor more than twenty years, or six months in the county jail or workhouse. The court is authorized to hear testimony in mitigation or aggravation of such sentence. [Ibid., sec. 12414.]

Female under 16; male 18 or more years of age; attempt to carnally know and abuse; punishment.—Whoever, being eighteen years of age, attempts to carnally know and abuse a female person under sixteen years of age, with her consent, shall be imprisoned in the penitentiary not less than one year nor more than fifteen years, or six months in the county jail or workhouse. The court is authorized to hear testimony in mitigation or aggravation of such sentence. [Ibid., sec. 12415.]

LEWD, IMMORAL, AND LASCIVIOUS CONDUCT WITH CHILD

Female child under 14; male over 18 taking indecent and improper liberties.—Whoever, being a male person over the age of eighteen years shall assault a female child under the age of fourteen years, and shall wilfully take indecent and improper liberties with the person of such child, without committing or intending to commit the crime of rape upon such child, or wilfully makes improper exposures of his person in the presence of such child, shall be deemed guilty of felonious assault, and on conviction thereof shall be fined not more than one thousand dollars, or imprisoned in the penitentiary not more than ten years, or both such fine and imprisonment, in the discretion of the court. [Ibid., sec. 12423-1 added by Laws of 1921, p. 45.]

ABDUCTION—SEDUCTION—PROSTITUTION

Female under 18, seduction under promise of marriage.—Whoever, being a male person over eighteen years of age, has sexual intercourse under promise of marriage with a female person under eighteen years of age and of good repute for chastity, shall be imprisoned in the county jail not more than six months or in the penitentiary not more than three years. [Ibid., sec. 13026.]

Female under 18, enticing to or procuring for illicit intercourse.—Whoever induces, decoys or procures a female person under eighteen years of age to have sexual intercourse with a person other than himself, or to enter a house of assignation or a house of ill fame for the purpose of seduction or prostitution, or knowingly permits another to have illicit intercourse with a female person of good repute for chastity upon premises owned or controlled by him, or, being a keeper of a house of assignation or house of ill fame, detains or

harbors therein a female person under eighteen years of age, shall be imprisoned in the penitentiary not less than one year nor more than five years. [Ibid., sec. 13027.]

Female under 18, enticing to or harboring in house of prostitution.—Whoever takes, causes to be taken or entices a female person, under the age of eighteen years, from her father, mother, guardian or other person having the lawful custody, care or charge of her, or from her home, habitation or place of employment with the intention of inducing or placing her in a house of ill fame or a house kept for the purpose of prostitution, or harbors such female person therein, knowing her to have been so taken or enticed away, shall be imprisoned in the penitentiary not less than one year nor more than twenty years. [Ibid., sec. 13029.]

Female pupil, seduction by teacher.—Whoever, being a male person over twenty-one years of age and superintendent, tutor or teacher in a private, parochial or public school, or a seminary or other public institution, or instructor of a female in music, dancing, roller skating, athletic exercise, or other branch of learning, has sexual intercourse with a female, with her consent, while under his instruction during the term of his engagement as such superintendent, tutor or instructor, shall be imprisoned in the penitentiary not less than two years nor more than ten years. [Ibid., sec. 13030.]

NOTES.—Harboring or employing a child between 4 and 16 in a house of ill fame or assignation. [Ibid., sec. 13031.]

Under the juvenile court act the term "delinquent child" includes one under 18 years of age who knowingly visits or enters a house of ill repute [Ibid., sec. 1644 as amended by Laws of 1915, p. 488]; a "dependent child" includes one under 18 found living in a house of ill fame [Ibid., sec. 1645 as amended by Laws of 1921, p. 361]; and a "child without proper parental care" includes one reared or kept in a house of ill fame or of ill repute [Ibid., sec. 1646 amended by Laws of 1923, p. 296].

Traffic in females for immoral purposes. [Ibid., secs. 13031 to 13031-12 as amended by Laws of 1913, p. 188.]

Employment agencies are forbidden to send any applicant for employment to house of prostitution or of ill repute. [Ibid., sec. 896-3, as added by Laws of 1919, p. 349.]

OKLAHOMA

Carnal knowledge or abuse; age of consent:

Female child under 16, or one between 16 and 18 if previously chaste.

Female over 14 consenting, no conviction of male under 18.

Accused under 14, proof required.

Essential element of the crime.

Penalty according to degree of offense: complaining witness under 14, accused over

18, constitutes rape in the first degree; all other cases are of the second degree.

Abduction; prostitution:

Female under 15, abduction.

Notes—

Child under 16 found living in or frequenting house of ill fame, jurisdiction of juvenile court.

Females, traffic in for immoral purposes.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female under 16 or one between 16 and 18 and of previous chaste character, unlawful sexual intercourse.—Rape is an act of sexual intercourse accomplished with a female, not the wife of the perpetrator, under either of the following circumstances:

First: Where the female is under the age of sixteen years.

Second: Where the female is over the age of sixteen years and under the age of eighteen, and of previous chaste and virtuous character. * * * [Stats. 1921, sec. 1834.]

If female is over 14 and consents, male under 18 may not be convicted; accused under 14, proof required.—No conviction for rape can be had against one who was under the age of fourteen years at the time of the act alleged unless his physical ability to accomplish penetration is proved as an independent fact and beyond a reasonable doubt. Nor can any person be convicted of rape on account of an act of sexual intercourse with a female over the age of fourteen years, with her consent, unless such person was over the age of eighteen years at the time of such act. [Ibid., sec. 1835.]

Essential element of the crime.—The essential guilt of rape, except with the consent of a female over fourteen years of age, consists in the outrage to the person and feelings of the female. Any sexual penetration, however slight, is sufficient to complete the crime. [Ibid., sec. 1836.]

Degree of crime: Female under 14 (or incapable of giving consent), male over 18, constitutes rape in the 1st degree; all other cases of rape are of the 2nd degree.—Rape committed by a male over eighteen years of age upon a fe-

OKLAHOMA—Continued

male under the age of fourteen years, or incapable through lunacy or unsoundness of mind of giving legal consent; or accomplished with any female by means of force overcoming her resistance, or by means of threats of immediate and great bodily harm, accompanied by apparent power of execution, preventing such resistance, is rape in the first degree. In all other cases rape is of the second degree. [*Ibid.*, sec. 1837.]

Punishment for rape in the first degree.—Rape in the first degree is punishable by death or imprisonment in the penitentiary, not less than fifteen years, in the discretion of the jury, or in case the jury fail or refuse to fix the punishment then the same shall be pronounced by the court. [*Ibid.*, sec. 1838.]

Punishment for rape in the second degree.—Rape in the second degree is punishable by imprisonment in the penitentiary not less than one year nor more than fifteen years. [*Ibid.*, sec. 1839.]

ABDUCTION—PROSTITUTION

Female child under 15, abduction.—Any person who takes away any female under the age of fifteen years, from her father, mother, guardian or other person having the legal charge of her person, without their consent, for the purpose of marriage or concubinage, is punishable by imprisonment in the penitentiary not exceeding five years, or by imprisonment in the county jail not exceeding one year, or by a fine not exceeding one thousand dollars, or by both such fine and imprisonment. [*Ibid.*, sec. 1842.]

NOTES.—Under the juvenile court law the definition of a "dependent" or "neglected" child includes one under 16 found living in a house of ill fame; and that of a "delinquent" child, one under 16 who knowingly frequents a house of ill repute. [*Ibid.*, sec. 8070.]

Traffic in females for immoral purposes. [*Ibid.*, secs. 1846-1851.]

OREGON

Carnal knowledge or abuse; age of consent: Female child under 16; accused over 16; penalty.

Carnal knowledge, further protection for girls:

Female between 16 and 18 (previously chaste), carnal knowledge under circumstances not amounting to rape; accused over 18; penalty.

Abduction; seduction; prostitution:

Child under 18 (boy or girl), soliciting or enticing to sexual intercourse.

Female under 18, enticing or coercing to prostitution.

Female under 16, abducting for immoral purposes.

Minor, unlawful to visit house of prostitution.

Minor, unlawful to induce to enter house of prostitution.

Notes—

Child under 18 found in house of ill fame, jurisdiction of court hearing children's cases.

Women and girls, traffic in for immoral purposes.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 16, carnal knowledge by person over 16; penalty.—If any person over the age of sixteen years shall carnally know any female child under the age of sixteen years, * * *, such person shall be deemed guilty of rape, and upon conviction thereof shall be punished by imprisonment in the penitentiary for not less than three nor more than twenty years. [*Oregon Laws 1920 (Olson's)*, sec. 1912.]

CARNAL KNOWLEDGE, FURTHER PROTECTION FOR GIRLS

Female child between 16 and 18 (of previous chaste character), unlawful carnal knowledge under circumstances not constituting rape; accused over 18; penalty.—If any male person over the age of eighteen years shall, in such manner as does not make the act rape, carnally know any female person of previous chaste and moral character, who is over the age of sixteen years and under the age of eighteen years, and is not his lawful wife, such male person shall be deemed guilty of fornication, and upon conviction thereof, shall be punished by a fine of not less than \$50 nor more than \$500, or by imprisonment in the county jail for not less than one month nor more than one year, or by imprisonment in the penitentiary not less than one year nor more than five years. [*Ibid.*, sec. 2077.]

ABDUCTION—SEDUCTION—PROSTITUTION

Child under 18 (male or female), penalty for soliciting or enticing to sexual intercourse.—If any person over the age of sixteen years shall solicit,

entice, procure, or attempt to procure any child under the age of eighteen years to carnally know or to have sexual intercourse with any person, or to enter any building, room, or enclosure frequented by lewd and immoral persons, for any immoral purpose, such person so soliciting, enticing, procuring, or attempting to procure such child for such purpose or purposes shall be deemed guilty of felony, and upon conviction thereof shall be punished by imprisonment in the penitentiary for not less than one nor more than twenty years. [*Ibid.*, sec. 2078.]

Female under 18, enticing or coercing to prostitution.—Any person who shall knowingly persuade, induce, entice, or coerce any woman or girl under the age of eighteen years, with the purpose or intent to induce or coerce her, or that she shall be induced or coerced to engage in prostitution, or shall in furtherance of such purpose knowingly induce or cause her to go and to be carried or transported as a passenger, within the state of Oregon, upon the line or route of any common carrier or carriers, shall be deemed guilty of felony, and on conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than ten thousand dollars, or by imprisonment in the penitentiary not less than one year and not more than ten years, or by both such fine and imprisonment, in the discretion of the court. [*Ibid.*, sec. 2085-3.]

Female child under 16, abducting for immoral purposes.—If any person shall take away any female under the age of sixteen years from her father, mother, guardian, or other person having the legal charge of her person, without the consent of such father, mother, guardian, or other person, either for the purpose of marriage, concubinage, or prostitution, such person, upon conviction thereof, shall be punished by imprisonment in the penitentiary not less than one nor more than two years, or by imprisonment in the county jail not less than three months nor more than one year, or by fine not less than \$100 nor more than \$500. [*Ibid.*, sec. 2085.]

Minor, unlawful to visit house of prostitution.—It shall be unlawful for any minor to go into or visit, under any pretext, or for any purpose whatever, any house of prostitution, or any room or place inhabited or frequented by any prostitute, or used for purposes of prostitution. [*Ibid.*, sec. 2081.]

Punishment for violating above provision.—Any minor violating any of the provisions of this act [sec. 2081], upon conviction thereof, shall be punished by a fine not exceeding \$100 or by incarceration for a period not exceeding six months in the state reform school. [*Ibid.*, sec. 2084.]

Minor, unlawful to induce to enter house of prostitution.—It shall be unlawful for any person, firm, or corporation to procure, request, order, or to in any wise induce any minor to go into or visit any such house, room, or place described in section 2081, for any purposes whatever. [*Ibid.*, sec. 2082.]

Penalty for violating above provision.—Any person violating any of the provisions of this act, [sec. 2082], shall, upon conviction thereof, be punished by a fine not less than \$100 and not more than \$250, or by imprisonment in the county jail for a period not exceeding one year, or both; and any corporation violating any of the provisions of this act shall, upon conviction thereof, be punished by a fine not less than \$500 and not more than \$1,000. [*Ibid.*, sec. 2083.]

NOTES.—A child under 18 found in any disorderly house, bawdy house, or house of ill fame may be adjudged a "delinquent" child by the court hearing children's cases. [*Ibid.*, sec. 9802.]

Traffic in women and girls for immoral purposes. [*Ibid.*, secs. 2085-1 to 2085-3.]

PENNSYLVANIA

Carnal knowledge or abuse; age of consent:

Female child under 16; accused 16 or older; penalty.

Complaining witness not of good repute, findings which jury may make.

Complaining witness under 10, essential element of the crime.

Abduction; seduction; prostitution:

Female under 16, abduction; enticing to illicit intercourse.

Female under 21, seduction under promise of marriage.

Minor, disposing of or employing for purposes of prostitution.

Child under 16, permitted to remain in house of prostitution.

Notes.—

Women and girls, traffic in for immoral purposes.

Minor, employer may not knowingly send to house of prostitution.

Female, employment agency may not furnish for immoral purposes or send as servant to place of bad repute.

PENNSYLVANIA—Continued

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 16, unlawful carnal knowledge and abuse by person 16 years of age or more; penalty; finding of jury if shown such child was not of good repute.—If any person * * * being of the age of sixteen years and upwards, shall unlawfully and carnally know and abuse any woman child under the age of sixteen years, with or without her consent, such person shall be adjudged guilty of felonious rape, and on conviction, be sentenced to pay a fine, not exceeding one thousand dollars, and undergo an imprisonment, by separate or solitary confinement at labor, or by simple imprisonment, not exceeding fifteen years; *Provided, however,* That upon the trial of any defendant charged with the unlawful carnal knowledge and abuse of a woman child under the age of sixteen years, if the jury shall find that such woman child was not of good repute, and that the carnal knowledge was with her consent, the defendant shall be acquitted of the felonious rape and convicted of fornication only. [Stat. 1920 (West Publishing Co.), sec. 8024.]

Complaining witness under 10, essential element of the crime.—It shall not be necessary, in any case of rape, sodomy or carnal abuse of a female child, under the age of ten years, to prove the actual emission of seed, in order to constitute a carnal knowledge, but the carnal knowledge shall be deemed complete upon proof of penetration only. [Ibid., sec. 8025.]

ABDUCTION—SEDUCTION—PROSTITUTION

Female child under 16, abduction; enticing to illicit intercourse.—Any person who takes a female child under the age of sixteen years for the purpose of prostitution or sexual intercourse, or, without the consent of her father, mother, guardian or other person having legal custody of her person, for the purpose of marriage, or who inveigles or entices any such minor female child into a house of ill-fame, or of assignation, or elsewhere, for the purpose of prostitution or sexual intercourse, shall, in every such case, be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to imprisonment, at separate or solitary confinement at labor, for not more than five years, or pay a fine, not exceeding one thousand dollars, or both, at the discretion of the court. [Ibid., sec. 13241.]

Female under 21; seduction under promise of marriage.—The seduction of any female of good repute, under twenty-one years of age, with illicit connection under promise of marriage, is hereby declared to be a misdemeanor; and any person who shall be convicted thereof shall be sentenced to pay a fine not exceeding five thousand dollars, and to undergo an imprisonment, either at labor by separate or solitary confinement, or imprisonment without labor, not exceeding three years, or both, or either, at the discretion of the court: *Provided,* That the promise of marriage shall not be deemed established unless the testimony of the female seduced is corroborated by other evidence, either circumstantial or positive. [Ibid., sec. 8042.]

Minor, disposing of or employing for purposes of prostitution.—Any person having the care, custody or control of any minor child under the age of fifteen years, * * * and any person, who, having the care, custody or control of any minor child whatsoever, shall sell, apprentice, give away or otherwise dispose of such child, or who shall take, receive or employ such child * * *, or for the purpose of prostitution, and any person who shall retain, harbor or employ any minor child in or about any assignation house or brothel, * * * shall be guilty of a misdemeanor, and, upon conviction thereof before any justice of the peace, magistrate or court of record, shall be fined not less than fifty dollars nor more than one hundred dollars, for each offense. [Ibid., sec. 13229.]

Child under 16, permitting to remain in house of ill repute constitutes a misdemeanor.—A parent or other person charged with the care or custody, for nurture or education, of a child under the age of sixteen years, who suffers or permits any such child to be or remain in any reputed house of prostitution or assignation, * * * shall be guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, or both or either, at the discretion of the court. [Ibid., sec. 13245.]

NOTES.—For further provisions regarding traffic in women and girls for immoral purposes, see *Ibid.*, secs. 7993–7999.

Employer or person, firm or corporation having authority may not knowingly send a minor to a house of prostitution or other immoral place. [*Ibid.*, sec. 13247.]

Employment agency shall not furnish female for immoral purposes or send one as a servant or for any other purpose to place of bad repute. [*Ibid.*, secs. 10145, 10151.]

PORTO RICO

Carnal knowledge or abuse; age of consent:

Female child under 14.

Accused under 14, proof required.

Essential element of the crime.

Punishment.

Indecent, lewd, or lascivious conduct with child: Child under 14, male or female; penalty.

Prostitution:

Female under 21 (unmarried), enticing to prostitution or illicit intercourse.

Minor, penalty for admitting to house of prostitution.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 14 years of age, unlawful sexual intercourse.—Rape is an act of sexual intercourse, accomplished with a female not the wife of the perpetrator, under any of the following circumstances:

1. Where the female is under the age of fourteen years; * * *. [Rev. Stats. 1911 (Penal Code), sec. 5697.]

Accused under 14 years of age, proof required.—No conviction for rape can be had against one who was under the age of fourteen years at the time of the act alleged, unless his physical ability to accomplish penetration is proved as an independent fact, and beyond a reasonable doubt. [*Ibid.*, sec. 5698.]

Essential element of the crime.—The essential guilt of rape consists in the outrage to the person and feelings of the female. Any sexual penetration, however slight, is sufficient to complete the crime. [*Ibid.*, sec. 5699.]

Punishment.—Rape is punishable by imprisonment in the penitentiary not less than five years. [*Ibid.*, sec. 5700.]

INDECENT, LEWD, OR LASCIVIOUS CONDUCT WITH CHILD

Child under 14.—* * * Any person who shall wilfully and lewdly commit any lewd or lascivious act, other than the acts constituting other crimes provided for in the Penal Code, upon or with the body, or any part or member thereof, of a child under the age of fourteen years, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of such person or of such child, shall be guilty of a felony and shall be imprisoned in the penitentiary not to exceed five years. [*Ibid.*, sec. 5702.]

PROSTITUTION

Female under 21 (unmarried), penalty for enticing to prostitution or illicit intercourse.—Every person who inveigles or entices any unmarried female, of previous chaste character, under the age of twenty-one years, into any house of ill fame or of assignation, or elsewhere, for the purpose of prostitution, or to have illicit carnal connection with any man; and every person who aids or assists in such inveiglement or enticement; and every person who, by any false pretences, false representation, or other fraudulent means, procures any female to have illicit carnal connection with any man, is punishable by imprisonment in the penitentiary not exceeding five years, or by imprisonment in jail not exceeding one year or by fine not exceeding one thousand dollars, or by both such fine and imprisonment. * * *. [*Ibid.*, sec. 5702.]

Minor, penalty for admitting to house of prostitution.—Any proprietor, keeper, manager, conductor, or person having the control of any house of prostitution, or any house or room resorted to for the purpose of prostitution, who shall admit or keep any minor of either sex therein, or any parent or guardian of any such minor who shall admit or keep such minor, or sanction, or connive at the admission or keeping thereof into, or in any such house or room, shall be guilty of a misdemeanor. [*Ibid.*, sec. 5731.]

RHODE ISLAND

Carnal knowledge or abuse; age of consent:

Girl under 16, penalty.

Attempt to have carnal knowledge; penalty.

Note—Penalty for rape.

RHODE ISLAND—Continued

Carnal knowledge, further protection for girls: Girl under 18 (not known to be immoral), enticing to unlawful sexual intercourse; penalty for accused above the age of 18.

Prostitution: Note—Traffic in females for immoral purposes.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Girl under 16 years of age, unlawful carnal knowledge and abuse; punishment.—Whoever shall unlawfully and carnally know and abuse any girl under the age of sixteen years shall be imprisoned not exceeding fifteen years. [Gen. Laws of 1923, sec. 6147.]

NOTE.—The penalty for rape is imprisonment for life or for any term not less than 10 years. [Ibid., sec. 6017.]

Attempt to have carnal knowledge; penalty.—Whoever shall attempt to have unlawful carnal knowledge of any girl under the age of 16 years shall be imprisoned not exceeding ten years. [Ibid., sec. 6148.]

CARNAL KNOWLEDGE, FURTHER PROTECTION FOR GIRLS

Girl under 18 (not known to be immoral), enticing to unlawful sexual intercourse.—Whoever by threats or intimidation procures or induces, or attempts to procure or induce, any woman or girl to have any unlawful carnal connection either with himself or with any other person, or by false pretenses, false representations or other fraudulent means, procures or induces any woman or girl, not being a common prostitute or of known immoral character, to have unlawful carnal connection either with himself or with any other person, or applies, administers to, or causes to be taken by any woman or girl any drug, matter or thing with intent to stupefy or overpower so as thereby to enable himself or any other person to have unlawful carnal connection with such woman or girl, or, being above the age of eighteen years, shall by any means whatsoever procure or induce any girl under the age of eighteen years, and not of known immoral character, to have any unlawful carnal connection either with himself or with any other person, shall be imprisoned not exceeding five years: Provided, however, that no person shall be convicted of an offense under this section upon the evidence of one witness only, unless such witness be corroborated by other evidence. [Ibid., sec. 6149.]

PROSTITUTION

NOTE.—Traffic in females for immoral purposes. [Ibid., secs. 6150, 6151, 6184–6186.]

SOUTH CAROLINA

Carnal knowledge or abuse; age of consent:

Female child under 16; penalty; complaining witness between 10 and 16 or from 14 to 16, reduction of penalty.

Accused under 18 and complaining witness over 14 and previously unchaste, defense.

Penalty for rape or attempt to commit rape.

Abduction; prostitution:

Female child under 16, abduction for immoral purposes.

Note: Child under 18, permitted in house of prostitution, jurisdiction of juvenile court.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 16 years of age, unlawful carnal knowledge and abuse; penalty. Complaining witness between 10 and 16 or between 14 and 16, reduction of penalty. Defense when accused is under 18 and complaining witness over 14 and previously unchaste.—If any person shall unlawfully and carnally know and abuse any woman-child under the age of sixteen years, every such unlawful and carnal knowledge shall be a felony, and the offender thereof being duly convicted, shall suffer as for rape; *Provided, however*, That in any case where the woman or child is over the age of ten years and the prisoner is found guilty the jury may find a special verdict recommending him to the mercy of the court, whereupon the punishment shall be reduced to imprisonment in the penitentiary for a term not exceeding fourteen years, at the discretion of the court: *Provided, further*, That in any case where the woman or child is over the age of fourteen (14) years and under the age of sixteen (16) years and the prisoner is found guilty, the punishment shall be

in the discretion of the court, not exceeding five (5) years imprisonment: *Provided, however,* That in cases where the defendant is under eighteen years of age and the woman-child is above the age of fourteen (14) years, previous unchastity may be defensively shown, and if such want of chastity be found by a special verdict of the jury, the punishment imposed by the court shall not exceed one year's imprisonment, or a fine of not more than five hundred (\$500.00) dollars, alternatively awarded. [Code 1922 vol. 2, Criminal Laws, sec. 9.]

Punishment for rape, or assault with intent to ravish.—Any person convicted of rape or assault with intent to ravish shall suffer death by hanging, unless the jury shall recommend to the mercy of the court, in which event the defendant shall be confined at hard labor in the State penitentiary for a term not exceeding forty years or less than five years, at the discretion of the presiding judge. [Ibid., sec. 8.]

ABDUCTION—PROSTITUTION

Female child under 16 years of age, abduction.—Whoever, above the age of fourteen years, shall unlawfully take or convey, or cause to be taken or conveyed, any maid or woman-child unmarried, being within the age of sixteen years, out of or from the possession and against the will of the father or mother of such child, or out of or from the possession and against the will of such person or persons as then shall happen to have, by any lawful ways or means, the order, keeping, education, or governance of any such maiden or woman-child, shall on conviction, suffer imprisonment for the space of two years, or else shall pay such fine as shall be adjudged by the court. [Ibid., sec. 372.]

Female child under 16 years of age, to abduct and deflower; penalty.—Whoever shall so take away, or cause to be taken away, as aforesaid, and deflower any such maid or woman-child, * * * shall, on conviction, suffer imprisonment for five years, or else shall pay such fine as shall be adjudged by the court; one moiety of which fine shall be for the State, and the other moiety to the parties grieved. [Ibid., sec. 373.]

NOTE.—A parent, guardian, or other person having custody of a child under 18 years of age who permits such child to enter a house of prostitution may be found guilty of a misdemeanor under the terms of the juvenile court act. [Laws of 1923, No. 148, sec. 19.]

SOUTH DAKOTA

Carnal knowledge or abuse; age of consent:

Female under 18.

Accused under 14, proof required.

Essential element of the crime.

Complaining witness under 10 years of age, first-degree rape.

Second-degree rape defined.

Punishment according to degree of offense.

Abduction; seduction; prostitution:

Female under 15, abduction.

Female under 18, abducting or enticing to illicit intercourse.

Female under 25, enticing to prostitution.

Notes—Minor under 21 permitted to consort with reputed prostitutes; child under 18 knowingly frequenting house of ill fame; jurisdiction of court hearing children's cases.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female under 18 years of age, unlawful sexual intercourse.—Rape is an act of sexual intercourse accomplished with a female, not the wife of the perpetrator, under either of the following circumstances:

1. Where the female is under the age of eighteen years. * * * [Rev. Code 1919, sec. 4092.]

Accused under 1½ years of age, proof required.—No one shall be convicted of rape who was under the age of fourteen years at the time of the act alleged, unless his physical ability to accomplish penetration is proved as an independent fact and beyond a reasonable doubt. [Ibid., sec. 4093.]

Essential element of the crime.—The essential guilt of rape consists in the outrage to the person and the feelings of the female. Any sexual penetration, however slight, is sufficient to complete the crime. [Ibid., sec. 4094.]

Complaining witness under 10 years of age, 1st-degree rape.—Rape committed upon a female under the age of ten years, or incapable through lunacy or any other unsoundness of mind, of giving legal consent, or accomplished by means of force overcoming her resistance, is rape in the first degree. [Ibid., sec. 4095.]

SOUTH DAKOTA—Continued

Second-degree rape.—In all other cases rape is of the second degree. [*Ibid.*, sec. 4096.]

Punishment for rape in the 1st degree.—Rape in the first degree is punishable by imprisonment in the state penitentiary not less than ten years. [*Ibid.*, sec. 4097.]

Punishment for rape in the 2nd degree.—Rape in the second degree is punishable by imprisonment in the state penitentiary not exceeding twenty years. [*Ibid.*, sec. 4098.]

ABDUCTION—SEDUCTION—PROSTITUTION

Female under 15, abduction for purpose of marriage; under 18, abducting or enticing to illicit intercourse.—Every person who takes away any female under the age of fifteen years from her father, mother, guardian or other person having the legal charge of her person, without his or her consent, for the purpose of marriage; and every person who shall persuade, induce, entice, coerce, or take away any female under the age of eighteen years from her father, mother, guardian, or other person having the legal charge of her person for the purpose of debauchery, illicit relationship, concubinage, prostitution, or other immoral purpose is punishable by imprisonment in the state penitentiary not to exceed twenty years. [*Ibid.*, sec. 4102 as amended by Laws of 1921, ch. 1, p. 134.]

Female under 25, enticing to prostitution.—Every person who inveigles or entices any unmarried female of previous chaste character, under the age of twenty-five years, into any house of ill fame or of assignation, or elsewhere, for the purpose of prostitution, and every person who aids or assists in such abduction for such purpose, is punishable by imprisonment in the state penitentiary not exceeding twenty years, or by a fine not exceeding one thousand dollars, or both such fine and imprisonment. [*Ibid.*, sec. 4101.]

NOTE.—Under the juvenile court law a child under 21 may be adjudged to be "dependent" or "neglected" if permitted to consort with reputed prostitutes, and one under 18 who knowingly visits or frequents a house of ill repute may be adjudged to be "delinquent." [*Ibid.*, sec. 9972.]

TENNESSEE

Carnal knowledge or abuse; age of consent:

Female child under 12: penalty; assault with intent to ravish; penalty.

Female between 12 and 21, unlawful carnal knowledge; penalty. If over 14, previous unchastity may be a defense; a conviction not warranted if complaining witness is over 12 and a bawd, lewd, or kept female.

Aiders and abettors, punishment.

Prostitution: Note.—Child under 16 found living in or frequenting house of ill fame, jurisdiction of juvenile court.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 12 years of age, carnal knowledge and abuse.—Any person who shall carnally know and abuse a female under the age of twelve years shall on conviction be punished as in the case of rape. [Code 1918 (Thompson's Shannon's), sec. 6455.]

Punishment for rape.—Whoever is convicted of the rape of a female shall suffer death by hanging; provided, the jury before whom the offender is tried and convicted, may, if they think proper, commute the punishment for the offense to imprisonment in the penitentiary for life, or for a period of not less than ten years. [*Ibid.*, sec. 6452.]

Female child under 12 years of age, assault with intent to ravish; punishment.—Any person who shall commit an assault and battery upon a female under the age of 12 years, with the intent to unlawfully carnally know her, shall on conviction be punished as in case of rape. [*Ibid.*, Baldwin's Supp. 1920, sec. 6455a (Laws of 1919, ch. 36, p. 85).]

Female between 12 and 21, unlawful carnal knowledge; penalty. If over 14, previous unchastity may be a defense; conviction not warranted if complaining witness is over 12 and a bawd, lewd, or kept female.—Any person who shall unlawfully or carnally know a female over the age of twelve and under the age of twenty-one years shall be deemed guilty of a felony, in all cases not falling under the statute relating to rape, and on conviction shall be confined in the penitentiary not less than three nor more than ten years; provided, that no conviction shall be had for said offense, on the unsupported testimony

of the female in question; and, provided, that the provisions of this act relative to females over twelve years shall not apply in cases in which the defendant and female in question occupy the relation of husband and wife at the time of such carnal knowledge; provided, further, that evidence of the female's reputation for the want of chastity at and before the time of the commission of the alleged offense shall be admissible in behalf of the defendant, but this proviso shall only apply when the female is over fourteen years of age; provided, further, that nothing in this act shall authorize or warrant a conviction when the female over twelve years is at the time and before the carnal knowledge a bawd, lewd, or kept female. [Code 1918 (Thompson's Shannon's), sec. 6456.]

Aiders and abettors; punishment.—Any parent or guardian of, or person having the charge, care, or custody of such female, or procuress, permitting, consenting to, aiding, encouraging, or abetting, or conniving at the commission of the offense or crime aforesaid, shall be deemed a principal in the crime, and punished as such under the last section. [Ibid., sec. 6457.]

PROSTITUTION

NOTE.—A child under 16 found living in house of ill fame may be adjudged by the juvenile court to be a "dependent" child; one under 16 who frequents or visits a house of ill fame or bawdy house may be adjudged to be a "delinquent" child. [Code 1918, sec. 4436a-33 and Supp. 1920, sec. 4436a-65a-1.]

TEXAS

Carnal knowledge or abuse: age of consent:

Female under 13; if between 15 and 18 previous unchastity may be a defense.

Accused under 14 may not be convicted of rape.

Penalty for rape.

Abduction: seduction: prostitution:

Female under 14, abduction.

Female under 25, (unmarried), seduction under promise of marriage.

Notes—

Child under 16 found living in house of prostitution, jurisdiction of juvenile court.

Child under 17, action against adult for taking into or permitting in house of prostitution.

Child under 17, employment in bawdy house forbidden; also sending as messenger to such place.

Females, traffic in for immoral purposes.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female under 18 years of age, unlawful carnal knowledge: previous unchastity may be a defense if female is between 15 and 18.—Rape is * * * the carnal knowledge of a female under the age of eighteen years, other than the wife of the person, with or without her consent, and with or without the use of force, threats or fraud. Provided, that if the woman is fifteen years of age or over, the defendant may show in consent cases, she was not of previous chaste character as a defense. [Stat. 1920 (Penal), art. 1033.]

Accused under 14 may not be convicted of rape.—No person under the age of fourteen at the time the offense is charged to have been committed, can be convicted of rape, or assault with intent to commit the offense. [Ibid., art. 1068.]

Punishment.—Whoever shall be guilty of rape shall be punished by death or by confinement in the penitentiary for life, or for any term of years not less than five, in the discretion of the jury. [Ibid., art. 1069.]

ABDUCTION—SEDUCTION—PROSTITUTION

Female under 14, abduction.—If a female under the age of fourteen be taken for the purpose of marriage or prostitution from her parent, guardian or other person having the legal charge of her, it is abduction, whether she consents or not, and although a marriage afterward takes place between the parties. [Ibid., art. 1060.]

Offense complete, when.—The offense of abduction is complete if the female be detained as long as twelve hours, though she may afterwards be relieved from such detention without marriage or prostitution. [Ibid., art. 1061.]

Punishment.—Any person who shall be guilty of abduction shall be punished by fine not exceeding two thousand dollars. If, by reason of such abduction, a woman be forced into marriage, the punishment shall be confinement in the penitentiary not less than two nor more than five years; and, if by reason of

TEXAS—Continued

such abduction, a woman be prosecuted, the punishment shall be confinement in the penitentiary not less than three nor more than twenty years. [*Ibid.*, art. 1062.]

Female under 25 (unmarried), seduction under promise of marriage.—If any person, by promise to marry, shall seduce an unmarried female under the age of twenty-five years, and shall have carnal knowledge of such female, he shall be punished by imprisonment in the penitentiary not less than two nor more than ten years. [*Ibid.*, art. 1447.]

NOTES.—A child under 16 found living in house of ill fame may be adjudged by the juvenile court to be a "dependent" or "neglected" child. [Stat. 1920 (Civil), art. 2184.]

An adult taking a child under 17 into a house of prostitution or permitting such a child to remain therein may be found guilty of contributing to the delinquency of the child. [Stat. 1920 (Penal), art. 1055a.]

The employment of a child under 17 in any disorderly or bawdy house is forbidden; also the sending of such a child as a messenger or to deliver messages, packages, etc., to such place. [Stat. 1920 (Penal), art. 1050f and 1050g.]

Traffic in females for immoral purposes. [Stat. 1920 (Penal), art. 506a to 506e.]

UTAH

Carnal knowledge or abuse; age of consent:

Female child under 13.

Accused under 14, proof required.

Essential element of the crime.

Punishment for rape.

Female between 13 and 18, unlawful carnal knowledge; penalty.

Abduction; prostitution:

Female under 18, abduction for purposes of prostitution.

Notes—

Child under 18, knowingly visiting house of ill fame; boy under 14, girl under 16 found in house of ill fame; jurisdiction of juvenile court.

Minor under 21, sending as messenger to house of ill fame.

Females, traffic in for immoral purposes.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 13 years of age, unlawful sexual intercourse.—Rape is an act of sexual intercourse accomplished with a female, not the wife of the perpetrator, under either of the following circumstances:

1. When the female is under the age of thirteen years; * * * [Comp. Laws 1917, sec. 8105.]

Accused under 14, proof required.—No conviction for rape can be had against one who was under the age of fourteen years at the time of the act alleged, unless his physical ability to accomplish penetration is proved as an independent fact, and beyond a reasonable doubt. [*Ibid.*, sec. 8106.]

Essential element of the crime.—The essential guilt of rape consists in the outrage to the person and feelings of the female. Any sexual penetration, however slight, is sufficient to complete the crime. [*Ibid.*, sec. 8107.]

Punishment for rape.—Rape is punishable by imprisonment in the state prison not less than five years. [*Ibid.*, sec. 8108.]

Female between 13 and 18, unlawful carnal knowledge.—Any person who shall carnally and unlawfully know any female over the age of thirteen years and under the age of eighteen years shall be guilty of a felony. [*Ibid.*, sec. 8109.]

ABDUCTION—PROSTITUTION

Female under 18, abduction for purposes of prostitution.—Every person who takes away any female under the age of eighteen years from her father, mother, guardian, or other person having the legal charge of her person, with or without their consent, for the purpose of prostitution, is punishable by imprisonment in the state prison not exceeding five years, or by a fine not exceeding \$1,000, or by both. [*Ibid.*, sec. 8110.]

NOTES.—A child under 18 who knowingly visits or enters a house of ill repute may be adjudged by the juvenile court to be a "delinquent" child. [*Ibid.*, sec. 1829, as amended by Laws of 1919 (Spec. Sess.), ch. 5.] A boy under 14 and a girl under 16 found in or frequenting a house of ill fame, either with or without the parent or guardian, may be adjudged to be a "neglected" child. [*Ibid.*, sec. 1835.]

In cities of the first and second classes no messenger under 21 years of age shall be required to visit any house of ill repute or other place of objectionable character which has been disapproved by the juvenile court. [*Ibid.*, sec. 1866.]

Traffic in females for purpose of prostitution. [*Ibid.*, secs. 8095-8101.]

* The penalty for felony when not prescribed in the law is imprisonment in State prison not exceeding 5 years. [Comp. Laws 1917, sec. 7904.]

VERMONT

Carnal knowledge or abuse; age of consent:

Female child under 16; accused over 16; penalty.

Both parties under 16, the female consenting, punishment for both; if without consent of female, penalty for offender.

Prostitution:

Notes—

Child under 16 found living in or frequenting house of ill fame, jurisdiction of juvenile court.

Females, traffic in for immoral purposes.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 16 years of age, unlawful carnal knowledge; penalty for offender over 16 years of age.—A person over the age of sixteen years who * * * unlawfully and carnally knows a female person under sixteen years of age, with or without her consent, shall be imprisoned in the state prison not more than twenty years or fined not more than two thousand dollars, or both. [Gen. Laws 1917, sec. 6822.]

Both parties under 16, the female consenting, punishment for both; if without consent of female, penalty for offender.—If a person under the age of sixteen years unlawfully and carnally knows a female person under the age of sixteen years with her consent both persons shall be guilty of a misdemeanor, and may be committed to the Vermont industrial school; and a person under the age of sixteen years, who unlawfully and carnally knows any female person by force and against her will shall be punished as provided in the preceding section. [Ibid., sec. 6823.]

PROSTITUTION

NOTES.—A child under the age of 16 who frequents, visits, or is found in a disorderly house or house of ill fame may be adjudged by the juvenile court to be a "delinquent" child; and one under the same age found living in a house of ill fame may be adjudged to be a "dependent" or "neglected" child. [Ibid., sec. 7323.]

Traffic in females for immoral purposes. [Ibid., secs. 7016-7020.]

VIRGINIA

Carnal knowledge or abuse; age of consent:

Female child under 16; penalty.

Abduction; prostitution:

Female under 16, abduction for purposes of prostitution.

Notes—Child under 18 found living in or frequenting house of ill fame, jurisdiction of juvenile court.

Females, traffic in for immoral purposes.

Employment agencies forbidden to send female help to place of ill fame.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 16 years of age, carnal knowledge; penalty.—If any person carnally know a female of sixteen years of age or more against her will, by force, or carnally know a female child under that age or a female inmate of any hospital for the insane, who has been adjudged a lunatic, or any female who is an inmate or pupil of an institution for deaf, dumb, blind, feeble-minded, or epileptic persons, he shall, in the discretion of the court or jury be punished with death, or confinement in the penitentiary for life, or for any term not less than five years. But if such female child be between the ages of fourteen and sixteen years and not an inmate or pupil of such institutions hereinbefore mentioned, and consents to the carnal knowledge, the punishment shall be confinement in the penitentiary not less than one nor more than twenty years.

If the carnal knowledge be with the consent of the female between the ages of fourteen and sixteen years, and the female be not an inmate of such institution as heretofore mentioned, the subsequent marriage may be pleaded to any indictment found against accused; whereupon, the court, upon proof of such marriage, and that the parties are living together as man and wife, and that the accused has properly provided for, supported, and maintained and is at the time properly providing, supporting and maintaining the wife and the issue of such marriage, if any, shall continue the case from time to time and from term to term, until the wife shall arrive at the age of sixteen years, and thereupon the court shall dismiss the indictment already found against accused, for the aforesaid offense; but should the husband desert said wife before she shall attain to the age of sixteen years without just cause, any indictment found against him for said offense shall be tried without regard to the number of times the case shall have been continued, and whether such continuance be entered upon the order book or not. [Code 1919, sec. 4414 as amended by Laws of 1924, ch. 443, p. 666.]

VIRGINIA—Continued

ABDUCTION—PROSTITUTION

Female under 16; abduction for purpose of prostitution.—If any person * * * take from any person, having lawful charge of her, a female under sixteen years of age, for the purpose of concubinage or prostitution, he shall be confined in the penitentiary not less than three nor more than ten years; and every person who shall assist or aid in such abduction or detention for such purpose, shall be guilty of a felony, and, shall, upon conviction thereof, be punished by confinement in the penitentiary not less than two nor more than five years. [Ibid., sec. 4411.]

NOTES.—A child under 18 years of age who frequents a house of ill fame may be adjudged by the juvenile court to be a "delinquent" child, and one found living in a house of ill fame may be adjudged to be a "neglected" child. [Ibid., sec. 1906 as amended by Laws of 1922, ch. 481.]

Traffic in females for immoral purposes. [Ibid., sec. 4579.]

Employment agencies are forbidden to send female help or servants to any place of bad repute, house of ill fame, or to any place kept for immoral purposes. [Ibid., sec. 1804.]

WASHINGTON

Carnal knowledge or abuse; age of consent:

Child under 18 (male or female), unlawful sexual intercourse; punishment for offender when complaining witness is under 10, 10-14, 15-17.

Essential element of the crime.

Indecent, lewd, or lascivious conduct with child: Female child under 18.

Abduction; prostitution:

Female under 18, abduction.

Female under 18, prostitution; penalty for parent or guardian consenting thereto.

Notes—

Child under 18 found living in house of prostitution, jurisdiction of juvenile court.

Minor under 21, penalty for admitting to house of prostitution.

Minor under 18, employment as messenger to house of prostitution forbidden.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Child under 18 (male or female), unlawful carnal knowledge or sexual intercourse; punishment for offender if child is under 10, 10-14, 15-17.—Every male person who shall carnally know and abuse any female child under the age of eighteen years, not his wife, and every female person who shall have sexual intercourse with any male child under the age of eighteen years, not her husband, shall be punished as follows:

(1) When such child is under the age of ten years, by imprisonment in the state penitentiary for life;

(2) When such child is ten and under fifteen years of age, by imprisonment in the state penitentiary for not less than five years;

(3) When such child is fifteen and under eighteen years of age, by imprisonment in the state penitentiary for not more than ten years, or by imprisonment in the county jail for not more than one year. [Pierce's Code 1921, sec. 9108.]

Essential element of the crime.—Any sexual penetration, however slight, is sufficient to complete sexual intercourse or carnal knowledge. [Ibid., sec. 9109.]

INDECENT, LEWD, OR LASCIVIOUS CONDUCT WITH CHILD

Female child under 18; taking indecent liberties with the person.—Every person who shall take any indecent liberties with or on the person of any female under the age of eighteen years, of chaste character, with or without her consent, shall be guilty of a gross misdemeanor.¹⁰ [Ibid., sec. 9114.]

ABDUCTION—PROSTITUTION

Female under 18, abduction.—Every person who—

1. Shall take a female under the age of eighteen years for the purpose of prostitution or sexual intercourse, or without the consent of her father, mother, guardian or other person having legal charge of her person, for the purpose of marriage; or,

* * *

4. Being the parent, guardian or other person having legal charge of the person of a female under the age of eighteen years, shall consent to her taking

¹⁰ The penalty for gross misdemeanor when not otherwise specified in the law is imprisonment in jail for not more than one year or fine of not more than \$1,000, or both fine and imprisonment. [Pierce's Code 1921, sec. 8702.]

or detention by any person for the purpose of prostitution or sexual intercourse or for any obscene, indecent or immoral purpose;

Shall be guilty of abduction and punished by imprisonment in the state penitentiary for not more than ten years or by a fine not more than one thousand dollars, or by both. [*Ibid.*, sec. 9111.]

Female under 18, prostitution; penalty for parent or guardian consenting thereto.—Every person who— * * *

4. Being the husband of any woman, or the parent, guardian or other person having legal charge of the person of a female under the age of eighteen years, shall connive at, consent to, or permit her being or remaining in any house of prostitution or leading a life of prostitution; * * *

Shall be punished by imprisonment in the state penitentiary for not more than five years or by a fine of not more than two thousand dollars. [*Ibid.*, sec. 9112.]

NOTES.—A child under 18 years of age found living or being in any house of prostitution or assignation may be brought under the jurisdiction of the juvenile court as a dependent child. [*Ibid.*, sec. 593.]

Any person who shall admit or allow a minor under 21 in a reputed house of prostitution may be found guilty of a gross misdemeanor. [*Ibid.*, sec. 8831.]

A minor under 18 may not be employed as a messenger to a known house of prostitution. [*Ibid.*, sec. 8832.]

WEST VIRGINIA

Carnal knowledge or abuse; age of consent: Female child under 16; accused over 16, penalty; not applicable if complaining witness is over 12 and accused under 16.

Abduction; prostitution:

Female child under 14, abduction.

Notes—

Boy under 16 or girl under 18 found living in house of ill fame, jurisdiction of juvenile court.

Females, procuring for prostitution

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 16, unlawful carnal knowledge; accused over 16, penalty; not applicable if complaining witness is over 12 and accused under 16.— * * *

If any male person who is over the age of sixteen years carnally know a female, not his wife, under that age, he shall be punished with death or with confinement in the penitentiary for life, or if the jury add to its verdict a recommendation for mercy, with confinement in the penitentiary for not less than five nor more than twenty years, provided, always that this section shall not apply to any male person under sixteen years of age who carnally knows a female over twelve years of age with her free consent. [Code 1923 (Barnes'), ch. 144, sec. 15 (Acts of 1921, ch. 90, p. 229).]

ABDUCTION—PROSTITUTION

Female child under 14, abduction.—If any person * * * take from any person having lawful charge of her, a female child under fourteen years of age, for the purpose of prostitution or concubinage, he shall be confined in the penitentiary not less than three nor more than ten years. [*Ibid.*, sec. 16 (Acts of 1901, ch. 101, p. 218).]

NOTES.—A child under 18 who knowingly frequents a house of ill repute may be found by the juvenile court to be a "delinquent" child. [*Ibid.*, ch. 46A, sec. 1 (Acts of 1919, ch. 111, sec. 1).] A boy under 16 or a girl under 18 found living in a house of ill fame may be found by a court of proper jurisdiction to be a "neglected" child. [*Ibid.*, sec. 49, as amended by Acts of 1923, ch. 27).]

Procuring females for purposes of prostitution. [*Ibid.*, ch. 144, sec. 16a-16b (Acts of 1911, ch. 22, p. 65).]

WISCONSIN

Carnal knowledge or abuse; age of consent: Female under 18; accused over 18, penalty; accused under 18, penalty.

Indecent, lewd, or lascivious conduct with child:

Female child under 16; penalty for male person over 18.

Minor child (male or female), penalty for person taking indecent liberties.

Abduction; seduction; prostitution:

Female under 18, abducting for immoral purposes.

Female under 21, penalty for permitting in house of prostitution for purposes of prostitution.

Notes—

Child under 16 found living in house of ill fame, jurisdiction of juvenile court.

Girl under 18, boy under 17, knowingly visiting such place, jurisdiction of juvenile court.

Women and girls, traffic in for immoral purposes.

Employment bureau forbidden to send female help to place of bad repute; shall not permit procurers to frequent such places.

WISCONSIN—Continued

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female under 18, unlawful carnal knowledge and abuse; accused over 18, penalty; under 18, penalty.—Any person over eighteen years of age who shall unlawfully and carnally know and abuse any female under the age of eighteen years shall be punished by imprisonment in the state prison not more than thirty-five years nor less than one year, or by a fine not exceeding two hundred dollars; and any person of the age of eighteen years or under who shall unlawfully and carnally know and abuse any female under the age of eighteen years shall be punished by imprisonment in the state prison not more than ten years nor less than one year, or by fine not exceeding two hundred dollars. [Stats. 1923, sec. 4382.]

INDECENT, LEWD, OR LASCIVIOUS CONDUCT WITH CHILD

Female child under 16; punishment for male person over 18.—Any male person over the age of eighteen years who shall take indecent or improper liberties with the person of a female under the age of sixteen years, with or without her consent, without intending to commit rape on such female, shall be punished by imprisonment in the state prison not more than two years nor less than one year or by imprisonment in the county jail not more than six months, or by fine not exceeding two hundred dollars. [Ibid., sec. 4588a.]

Minor child (sex not specified), penalty for person taking indecent liberties.—Any person who shall indecently assault and take improper liberties with the privates of any minor by the use of the hand, or who shall voluntarily permit the use of his own privates in such manner by any minor, shall be punished by imprisonment in the county jail not less than thirty days nor more than six months, or by imprisonment in the state prison not exceeding two years. [Ibid., sec. 4591a.]

ABDUCTION—SEDUCTION—PROSTITUTION

Female under 18, abducting for immoral purposes.—Any person who, by force, threats, promises or any other means or inducements, shall entice, inveigle, solicit, induce or take any unmarried female of previous chaste character of the age of eighteen years or under from her father, mother, guardian or other person having the legal care or custody of any such female, or from her home or other place of abode, wherever she may be, for the purpose of seduction, prostitution, or with intent to seduce, defile, deflower, or for the purpose of entering, causing, inducing or procuring her to enter any house of ill fame, assignation or other place of prostitution for the purpose of prostitution, either temporarily or as an inmate of any such house or place, and any person who shall directly or indirectly cause, procure or knowingly permit the same to be done, or who shall in any way aid, abet or assist, directly or indirectly, in doing such thing for any of the purposes aforesaid, or who shall cause, procure, aid, assist, knowingly permit or abet in any manner the seduction, defilement, deflowering or the having of illicit intercourse with any such female by any person, either at her home or other place of abode or elsewhere, shall be punished by imprisonment in the state prison not more than ten years nor less than one year or by fine not exceeding two hundred dollars. [Ibid., sec. 4581a.]

Female under 21, penalty for permitting in house of prostitution for purpose of prostitution.—Any person, being the owner, lessee or occupant of any premises, or having, in whole or in part, the management or control thereof, who induces or knowingly permits any female under twenty-one years of age to resort to or be in or upon such premises for the purpose of prostitution or unlawful sexual intercourse shall be punished by imprisonment in the state prison not more than five years nor less than one year. [Ibid., sec. 4581e.]

NOTES.—The terms "dependent child" and "neglected child" as defined in the juvenile court law include one under the age of 16 found living in a house of ill fame, and "delinquent child" includes a girl under 18 and a boy under 17 who knowingly visits, enters, or patronizes a house of ill repute. [Ibid., sec. 4801.]

Traffic in women or girls for immoral purposes. [Ibid., secs. 4581a-4581i.]

Employment bureau may not send female help, servant, inmate, or other person to place of bad repute, and shall not knowingly permit prostitutes or procurers to frequent its place of business. [Ibid., sec. 105.12 (2) and (3).]

WYOMING

Carnal knowledge or abuse; age of consent:

Female child under 18; penalty.

Attempt to commit rape; penalty.

Abduction; seduction; prostitution:

Female under 18, procuring for or compelling illicit intercourse.

Female under 21, seduction under promise of marriage.

Note—Child under 21, unlawful to permit in or about house of ill fame.

Indecent, lewd, or lascivious conduct with child: Minor under 21, penalty for enticing or instigating to immoral practices.

CARNAL KNOWLEDGE OR ABUSE—AGE OF CONSENT

Female child under 18 years of age, carnal knowledge; penalty.—Whoever unlawfully has carnal knowledge * * * of a woman or female child under the age of eighteen years, either with or without her consent, is guilty of rape, and shall be imprisoned in the penitentiary for a term not less than one year, or during life. [Comp. Stats. 1920, sec. 7080.]

Attempt to commit rape; punishment.—Whoever perpetrates an assault or assault and battery upon any female with intent to commit the crime of rape, shall, upon conviction, be imprisoned in the penitentiary not less than one year nor more than fifty years. [Ibid., sec. 7081.]

ABDUCTION—SEDUCTION—PROSTITUTION

Female under 18, procuring for or compelling illicit intercourse.—Whoever induces, decoys, procures or compels any female under eighteen years of age, * * * to have sexual intercourse with any person other than himself: or knowingly permits any other person to have sexual intercourse with any female of good repute for chastity, upon premises owned or controlled by him, shall be imprisoned in the penitentiary not more than five years, or may be imprisoned in the county jail not more than six months. [Ibid., sec. 7203.]

Female under 21, seduction under promise of marriage.—Any male person who, under the promise of marriage, shall have illicit carnal intercourse with any female of good repute for chastity, under the age of twenty-one years, shall be deemed guilty of seduction, and shall be imprisoned in the penitentiary not more than five years, or be imprisoned in the county jail not more than twelve months. [Ibid., sec. 7196.]

NOTE.—It is unlawful to retain, harbor, employ, or permit a child under 21 years of age in or about any assignation house or house of ill fame. [Ibid., sec. 3863.]

INDECENT, LEWD, OR LASCIVIOUS CONDUCT WITH CHILD

Minor under 21, penalty for enticing or instigating to immoral practices.—* * *, whoever entices, allures, instigates or aids any person under the age of twenty-one years to commit masturbation or self-pollution, is guilty of sodomy, and shall be imprisoned in the penitentiary not more than five years or may be imprisoned in the county jail not more than twelve months. [Ibid., sec. 7206.]

TEXT OF FEDERAL LAWS

Offenses within the admiralty and maritime and the territorial jurisdiction of the United States:

Assault with intent to rape.

Rape.

Carnal knowledge of female under 16.

Traffic in females for immoral purposes—White-slave traffic.

Importation of aliens for immoral purposes.

OFFENSES WITHIN THE ADMIRALTY AND MARITIME AND THE TERRITORIAL JURISDICTION OF THE UNITED STATES

An act to codify, revise, and amend the penal laws of the United States. (Act of March 4, 1909.)

SEC. 276. *Assault with intent to rape.*—Whoever shall assault another with intent to commit murder, or rape, shall be imprisoned not more than twenty years. * * *. [35 Stat. 1143.]

SEC. 278. *Rape.*—Whoever shall commit the crime of rape shall suffer death. [35 Stat. 1143.]

SEC. 279. *Carnal knowledge of female under 16.*—Whoever shall carnally and unlawfully know any female under the age of sixteen years, or shall be accessory to such carnal and unlawful knowledge before the fact, shall, for a first offense, be imprisoned not more than fifteen years, and for a subsequent offense be imprisoned not more than thirty years. [35 Stat. 1143.]

TRAFFIC IN FEMALES FOR IMMORAL PURPOSES—WHITE-SLAVE TRAFFIC

An Act To further regulate interstate and foreign commerce by prohibiting the importation therein for immoral purposes of women and girls, and for other purposes. (Act of June 25, 1910.)

Definition of terms "interstate commerce" and "foreign commerce" as used in act.—The term "interstate commerce," as used in this act, shall include transportation from any State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, and the term "foreign commerce," as used in this act, shall include transportation from any State or Territory or the District of Columbia to any foreign country and from any foreign country to any State or Territory or the District of Columbia. [36 Stat. 825.]

Woman or girl, transporting for immoral purposes or knowingly procuring ticket, etc., to be used therefor, a felony; punishment.—Any person who shall knowingly transport or cause to be transported, or aid or assist in obtaining transportation for, or in transporting, in interstate or foreign commerce, or in any Territory or in the District of Columbia, any woman or girl for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent and purpose to induce, entice, or compel such woman or girl to become a prostitute or to give herself up to debauchery, or to engage in any other immoral practice; or who shall knowingly procure or obtain, or cause to be procured or obtained, or aid or assist in procuring or obtaining, any ticket or tickets, or any form of transportation or evidence of the right thereto, to be used by any woman or girl in interstate or foreign commerce, or in any Territory or the District of Columbia, in going to any place for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent or purpose on the part of such person to induce, entice, or compel her to give herself up to the practice of prostitution, or to give herself up to debauchery, or any other immoral practice, whereby any such woman or girl shall be transported in interstate or foreign commerce, or in any Territory or the District of Columbia, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding five thousand dollars, or by imprisonment of not more than five years, or by both such fine and imprisonment, in the discretion of the court. [36 Stat., 825.]

Persuading, inducing, enticing or coercing woman or girl to go from one place to another for purpose of prostitution or with intent that she shall engage in such practice either with or without her consent.—Any person who shall knowingly persuade, induce, entice, or coerce, or cause to be persuaded, induced, enticed, or coerced, or aid or assist in persuading, inducing, enticing, or coercing any woman or girl to go from one place to another in interstate or foreign commerce, or in any Territory or the District of Columbia, for the pur-

pose of prostitution or debauchery, or for any other immoral purpose, or with the intent and purpose on the part of such person that such woman or girl shall engage in the practice of prostitution or debauchery, or any other immoral practice, whether with or without her consent, and who shall thereby knowingly cause or aid or assist in causing such woman or girl to go and be carried or transported as a passenger upon the line or route of any common carrier or carriers in interstate or foreign commerce, or any Territory or the District of Columbia, shall be deemed guilty of a felony and on conviction thereof shall be punished by a fine of not more than five thousand dollars, or by imprisonment for a term not exceeding five years or by both such fine and imprisonment, in the discretion of the court. [36 Stat., 825.]

Girl under 18, enticing or coercing to prostitution or debauchery.—Any person who shall knowingly persuade, induce, entice, or coerce any woman or girl under the age of eighteen years from any State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, with the purpose and intent to induce or coerce her, or that she shall be induced or coerced to engage in prostitution or debauchery, or any other immoral practice, and shall in furtherance of such purpose knowingly induce or cause her to go and to be carried or transported as a passenger in interstate commerce upon the line or route of any common carrier or carriers, shall be deemed guilty of a felony, and on conviction thereof shall be punished by a fine of not more than ten thousand dollars, or by imprisonment for a term not exceeding ten years, or by both such fine and imprisonment, in the discretion of the court. [36 Stat., 826.]

Courts having jurisdiction over prosecutions for violations of above provisions.—Any violation of any of the above sections two, three, and four shall be prosecuted in any court having jurisdiction of crimes within the district in which said violation was committed, or from, through, or into which any such woman or girl may have been carried or transported as a passenger in interstate or foreign commerce, or in any Territory or the District of Columbia, contrary to the provisions of any of said sections. [36 Stat., 826.]

Alien women and girls, to regulate and prevent transportation in foreign commerce for purpose of prostitution; duties of Commissioner General of Immigration; statement to be filed by person keeping or harboring alien woman or girl for immoral purposes; failure to file statement; false statement.—For the purpose of regulating and preventing the transportation in foreign commerce of alien women and girls for purposes of prostitution and debauchery, and in pursuance of and for the purpose of carrying out the terms of the agreement or project of arrangement for the suppression of the white-slave traffic, adopted July twenty-fifth, nineteen hundred and two, for submission to their respective governments by the delegates of various powers represented at the Paris conference and confirmed by a formal agreement signed at Paris on May eighteenth, nineteen hundred and four, and adhered to by the United States on June sixth, nineteen hundred and eight, as shown by the proclamation of the President of the United States, dated June fifteenth, nineteen hundred and eight, the Commissioner General of Immigration is hereby designated as the authority of the United States to receive and centralize information concerning the procurement of alien women and girls with a view to their debauchery, and to exercise supervision over such alien women and girls, receive their declarations, establish their identity, and ascertain from them who induced them to leave their native countries, respectively; and it shall be the duty of said Commissioner General of Immigration to receive and keep on file in his office the statements and declarations which may be made by such alien women and girls, and those which are hereinafter required pertaining to such alien women and girls engaged in prostitution or debauchery in this country, and to furnish receipts for such statements and declarations provided for in this act to the persons, respectively, making and filing them.

Every person who shall keep, maintain, control, support, or harbor in any house or place for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl within three years after she shall have entered the United States from any country, party to the said arrangement for the suppression of the white-slave traffic, shall file with the Commissioner General of Immigration a statement in writing setting forth the name of such alien woman or girl, the place at which she is kept, and all facts as to the date of her entry into the United States, the port through which she entered, her age, nationality, and parentage, and concerning her procurement to come to this country within the knowledge of such person, and any person

who shall fail within thirty days after such person shall commence to keep, maintain, control, support, or harbor in any house or place for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl within three years after she shall have entered the United States from any of the countries, party to the said arrangement for the suppression of the white-slave traffic, to file such statement concerning such alien woman or girl with the Commissioner General of Immigration, or who shall knowingly and willfully state falsely or fail to disclose in such statement any fact within his knowledge or belief with reference to the age, nationality, or parentage of any such alien woman or girl, or concerning her procurement to come to this country, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not more than two thousand dollars, or by imprisonment for a term not exceeding two years, or by both such fine and imprisonment, in the discretion of the court.

In any prosecution brought under this section, if it appear that any such statement required is not on file in the office of the Commissioner General of Immigration, the person whose duty it shall be to file such statement shall be presumed to have failed to file said statement, as herein required, unless such person or persons shall prove otherwise. No person shall be excused from furnishing the statement, as required by this section, on the ground or for the reason that the statement so required by him, or the information therein contained, might tend to criminate him or subject him to a penalty or forfeiture, but no person shall be prosecuted or subjected to any penalty or forfeiture under any law of the United States for or on account of any transaction, matter, or thing, concerning which he may truthfully report in such statement, as required by the provisions of this section. [36 Stat. 826.]

Definition of terms "Territory" and "person" as used in act: liability of person, corporation, society or association.—The term "Territory," as used in this act, shall include the district of Alaska, the insular possessions of the United States, and the Canal Zone. The word "person," as used in this act, shall be construed to import both the plural and singular, as the case demands, and shall include corporations, companies, societies, and associations. When construing and enforcing the provisions of this act, the act, omission, or failure of any officer, agent, or other person, acting for or employed by any other person or by any corporation, company, society, or association within the scope of his employment or office, shall in every case be also deemed to be the act, omission, or failure of such other person, or of such company, corporation, society, or association, as well as that of the person himself. [36 Stat., 827.]

IMPORTATION OF ALIENS FOR IMMORAL PURPOSES

An act to regulate the immigration of aliens to, and the residence of aliens in, the United States. (Act of February 5, 1917.)

The importation into the United States of any alien for the purpose of prostitution, or for any other immoral purpose, is hereby forbidden; and whoever shall, directly or indirectly, import, or attempt to import into the United States any alien for the purpose of prostitution or for any other immoral purpose, or shall hold or attempt to hold any alien for such purpose in pursuance of such illegal importation, or shall keep, maintain, control, support, employ, or harbor in any house or other place, for the purpose of prostitution or for any other immoral purpose, any alien, in pursuance of such illegal importation, shall in every such case be deemed guilty of a felony, and on conviction thereof shall be punished by imprisonment for a term of not more than ten years and by a fine of not more than \$5,000. Jurisdiction for the trial and punishment of the felonies hereinbefore set forth shall be in any district to or into which said alien is brought in pursuance of said importation by the person or persons accused, or in any district in which a violation of any of the foregoing provisions of this section occurs. That any alien who shall, after he has been excluded and deported or arrested and deported in pursuance of the provisions of this act which relate to prostitutes, procurers, or other like immoral persons, attempt thereafter to return to or to enter the United States shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment for a term of not more than two years. In all prosecutions under this section the testimony of a husband or wife shall be admissible and competent evidence against each other. [39 Stat., 878.]

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